

COBBETT'S WEEKLY POLITICAL REGISTER.

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[PRICE 10D.

" I have laid before you, Mr. Speaker, I think with sufficient clearness, the connection of the Ministers with Mr. Atkinson at the general election; I have laid open to you the connection of Atkinson and Benfield; I have shown Benfield's employment of his wealth, in creating parliamentary interest, to procure a ministerial protection; I have set before your eyes his large concern in the debt of the Nabob of Arcot, his practices to hide that concern from the public eye, and the liberal protection which he has received from the minister. If this chain of circumstances does not lead you necessarily to conclude, that the minister has paid to the avarice of Benfield the services done, by Benfield's connections, to his ambition, I do not know any thing short of the confession of the party that can persuade you of his guilt."—BURKE. Speech on the Nabob of Arcot's debts, 28th Feb. 1783.

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TO MR. CANNING,
THE PRESENT TREASURER OF THE NAVY.

LETTER II.

SIR,—In resuming the discussion, begun in the foregoing Letter (p. 689), we must bear in mind, that the cause, whence I was induced to address you, was, a threat against all persons concerned in conducting the Press of this country, bidding the Editors thereof to "take notice and receive warning, that a great change has now taken place in the system of forbearance hitherto adhered to, and declaring that a *new æra* has now begun;" which threat was conveyed to the public in a printed paper, in the Oracle, purporting to be a speech delivered by you, in the House of Commons, on the 2d instant. The author, or publisher, of the several articles, of which the last-mentioned was the most remarkable, having stated, *as the ground of the threat*, that Mr. Grey and other gentlemen of the Opposition had complained of the publication of a libel on the House of Commons, it behoves us, as was proposed in p. 684, to inquire into the nature and tendency of the libel, published in the Oracle and complained of by Mr. Grey, compared with publications in general touching upon the proceedings in parliament; whence we shall be able to judge of the propriety and decency of proclaiming the commencement of "a *new æra*," merely because the publisher of *that* libel had been brought before the House, imprisoned a few days in the chambers of Westminster Hall, and then released with a reprimand from the Speaker.

It is hardly intended, in this "*new æra*," entirely to prevent the press from commenting upon the proceedings in parliament; because such prevention would, of course, extend to all the bills introduced and all the acts passed; and, if the press must not make representations of the evil tendency of bills and acts, to boast of the *liberty* of the press, to call that liberty "the palladium of free men," is only to expose ourselves to ridicule and contempt. Is it the *speeches*, which we are not to comment upon, after the com-

mencement of the "*new æra*," announced in the Oracle? But, to prevent this, a very important step is previously necessary; to wit; to prevent the *printing and publishing of those speeches*; for, unless that were done, to prevent the printing and publishing of comments on the speeches would be to make every member of parliament a *licensed libeller*. A man would, in such case, have nothing to do but to obtain a seat for a few days, just long enough to give him time to make three or four motions and speeches, and he might, with perfect impunity, send forth, all over the world, and put upon record for ever, charges of the most infamous nature against every one, whose reputation he might wish to destroy. Am I told, that a person so defamed would have the law to avenge him? Avenge him *on whom*, and *how*? On the printer and publisher, not on the maker of the speech, who is protected from all inquiries as to what he may say in parliament. And, how is such injured person to be avenged? Will the punishment of the printer and publisher avenge him? Will that afford him redress? Will that destroy the effect of the defamation? Where, then, is he, in such case, to seek for protection to his character, except through the same channel, which has conveyed to the world the libel against him? Yet, if the doctrine, that it is unlawful to comment upon speeches of members of parliament, be maintained, if this be the doctrine to be adhered to in the "*new æra*," person so defamed must not make use of press even to defend his character, because in the case supposed (and such cases frequently arisen), he could not do it, commenting on the speech of a member of parliament. But, why seek any *more* than that now before us? Mr. Sturge, stigmatized to publish an infamous libel in the House of Commons; complained against him by the members of the House; he is imprisoned and rendered, because of it, he, under the speech of yours, most grossly injured conductors of *all* the public pri-

bidding them, and that, too, in the most assuming and offensive manner, to "take notice and receive warning" of the cessation of forbearance, and of the commencement of a "new æra." And, merely because this threat is published as the speech of a member of parliament, must none of us, the parties threatened, comment upon it? Must we hang our heads, slink about as if we were guilty, seeming to acknowledge that we exercise our profession, and even that we wear our ears, by mere indulgence? Do I, then, contend for the right of calling members of parliament to an account for what they say in their places, of criticising every word that drops from their lips, and thus preventing them from freely speaking their minds? No such thing. It is not what they say in their places, but what is printed and published under their names, that I claim the right to comment on, to criticise, to praise, to ridicule, or to censure. Am I told, that such publications are neither made nor authorized by the persons, under whose names they appear? Sometimes they are not. But that circumstance can have no weight. The publication is made, and, being made, I may, without at all offending against the privilege of parliament, make on it any remarks that I choose. Will it be said, that, then, two conductors of public papers, one by publishing a report of the speeches, and the other by commenting on them, when reported, may, with impunity, represent as fools or knaves, any of the members of parliament, against whom they may, for whatever reasons, choose to combine their mischievous talents? Not with impunity, Sir. No; the parliament as a body, and its members individually, have, at all times, in their hands ample powers for the prevention of such attacks upon them. They, or either of them, can, in the first place, prevent their speeches from being heard by any persons but themselves; if they indulge us with the hearing, they can prevent us from taking down their speeches; and, they can punish, at their discretion, any one who publishes a report of any speech or speeches delivered in either House. Is any thing more wanted to preserve their proceedings from the rude touch of the press? They have only to enforce their own standing orders, and then no one can comment on their speeches, without becoming liable to punishment at their own discretion; but, while those orders are not enforced, while people are suffered to take down and to publish the speeches, and while the means of taking them down, while admission to the gallery of the House of Commons, is sold, and sold, too, at a very high

price; * while this is the case, shall we be forbidden to comment upon publications thus produced, especially when we consider, that these publications frequently contain very severe animadversions upon individuals as well as upon bodies of men? The truth, is, that the speeches have, for so long a time, been suffered to be taken down and published, that there is now little reason to suppose, that the practice will ever be put a stop to; and, the right of commenting upon what has been printed and published is so evident, that it is not likely it should ever be seriously called in question. The same rules, therefore, that are observed with respect to other publications will, of course, be observed with respect to comments upon proceedings in parliament. If they be neither seditious nor libellous, in the eye of the law, as that law is interpreted in other cases, they ought to be regarded as innocent; and if they be seditious or libellous, they ought to be regarded as criminal; the only difference being, that each House possesses, as it ought to possess, the right of inflicting immediate punishment, without having recourse to any other tribunal. Here, then, we come, Sir, to the point in view, namely, whether the libel published by Mr. Stuart, and inserted in p. 673, was, or was not, libellous, and whether it did, or did not, exhibit a wide departure from the practice which those who conduct the press of this country have generally observed with regard to the decisions of parliament as well as to the speeches, or imputed speeches, of its members. It was no ordinary measure, on which the writer in the Oracle was commenting: it was not on a regulation or law, the expediency or inexpediency of which had become matter of dispute; it was a decision upon a most important subject, a solemn decision of the House of Commons, and that, too, let it be remembered, in the judicial capacity of that House. The majority of the House were termed "intemperate judges;" their decision was called a "presumptuous" one, "directed and en-

* This circumstance is not introduced for the purpose of swelling out an enumeration. I am ready to prove the fact I here allude to. I am ready to prove, not only that the door-keepers of the House of Commons take money for admitting persons into the gallery, but, that they demand money for such admission, and that they turn persons away who refuse to come up to their demands. Whether these practices be sanctioned by, or known to, the superiors of these door-keepers, I know not, but of their existence I am certain, and am ready to produce proof.

“ forced by the *violence of the times* ;” and, the whole proceeding was imputed to “ *party rancour and popular clamour*.” That this was audaciously libellous will, surely, not admit of a doubt, especially with those who have affixed the epithet “ *libellous* ” to the reports of the Naval Commissioners ; and, Sir, I think, it may be safely asserted, that a libel so audacious was never before, in any English print, your weekly paper (of which more hereafter) not excepted, published against either House of Parliament. And, because a libel like *this*, published in a ministerial paper, be noticed by the Opposition, are *all* the prints in England to be threatened with a total change of the system upon which they have been conducted ! Are we, for *this* cause, to be bidden to tremble, and to hear proclaimed a “ *new æra* ” in the history of the press ! At this moment there occur to me only two instances of serious proceedings against printers, publishers, or authors, for breach of parliamentary privilege in their publications ; I mean those relating to Mr. Reeves in 1795, in the House of Commons, and those relating to Mr. Perry, in 1798, in the House of Lords. Mr. Reeves wrote a pamphlet, in which was the following passage : “ The government of England is a monarchy, the monarch is the ancient stock, from which have sprung those goodly branches of the legislature, the Lords and Commons, that at the same time give ornament to the tree, and afford shelter to those who seek protection under it. But, these are still only branches, and derive their origin and nutriment from their common parent ; they may be lopped off, and the tree is a tree still ; shorn, indeed, of its honours, but not, like them, cast into the fire. The kingly government may go on, in all its functions, without Lords or Commons : it has heretofore done so for years together, and, in our times, it does so during every recess of parliament ; but, without the King his parliament is no more.” Of this passage, respecting which I have before given an opinion to which I still adhere, I shall only further observe, at present, that the House declared it to be “ *a malicious, scandalous, and seditious libel*,” that the author was ordered to be prosecuted by the law officers of the crown, and that, amongst the persons who voted for these measures, were yourself and Mr. Pitt, by whom no *struggle* was made to save Mr. Reeves, who, however, found protection in a jury, in the Court of King’s Bench. The affair of Mr. Perry terminated more seriously. He published in his paper, the Morning Chronicle of the 19th of March, 1798, the

following paragraph : “ The House of Lords must now be admitted to be highly important as a political assembly, notwithstanding it has, of late, appeared to be nothing more than a chamber where the minister’s edicts are registered for forms’ sake. Some of their lordships are determined to vindicate their importance. It is there that the dresses of the Opera dancers are regulated ! One of the Roman Emperors recommended to the Senate, when they were good for nothing else, to discuss what was the best sauce for a turbot. To regulate the length of a petticoat is a much more genteel employment.” This paragraph, which was certainly a gross libel, Mr. Perry declared, that he never saw, till it was too late to stop the circulation of the paper which contained it. He acknowledged that it was a gross and scandalous libel ; that it expressed sentiments which he had never entertained ; that he was deeply penetrated with sorrow for its having appeared in his paper ; and that, the Printer, being perfectly innocent of all intention to offend, he, Mr. Perry, humbly hoped that their lordships would pardon him, whatever might be their determination with respect to himself. Both Proprietor and Printer were, however, fined each 50 l. besides being obliged to pay nearly 50 l. each in fees ; and were imprisoned in Newgate for the space of three months.— Now, Sir, compare these libels and the proceedings thereon, with the libel which Mr. Stuart was instigated to publish and the subsequent proceedings relative thereto. Mr. Reeves’s was a metaphorical libel ; few people could possibly suppose that it was written or published with any evil intention ; its meaning admitted of many interpretations ; and, at last, though almost every public print in London had, in the interim, joined in the cry against him, a jury determined, that it was no libel at all. The libel published by Mr. Perry called loudly for animadversion : it was disrespectful and contemptuous in a very high degree : it was as false, but it was not nearly so *malicious* as the libel, which Mr. Stuart was induced to publish, and which accuses the House of Commons of having, in their judicial capacity, passed an *unjust judgment* from *foolish or wicked motives*, than which, in my opinion, it is impossible to conceive any thing more libellous in itself, or more likely to be productive of mischievous consequences. Then, as to the subsequent conduct of the gentlemen, of whom we are speaking ; Mr. Perry clearly acknowledges the libellousness of the publication, states his ignorance of its insertion, and his deep regret at its having been

inserted. Mr. Stuart comes with his mouth teeming with praises of the person, for censuring whose conduct he had libelled the House: he comes with a statement of his own virtues and services: he very nearly tells the House, that, had it not been for him and Lord Melville, they would not have been in existence either to pardon the one or to condemn the other. Mr. Perry did nothing of this sort; he attempted no justification; tendered no set-off; offered no impertinent suggestions; threw out no saucy insinuations against either side, or any member of the House: yet was he, and his printer along with him, fined in a considerable sum, and imprisoned three months in Newgate. And now, behold, because a ministerial writer, or rather printer, has not been suffered openly and unequivocally to charge the House of Commons with intemperance, presumption, and injustice in a decision, in their judicial capacity; because he has not been suffered to do *this* with perfect impunity, all of us, who are concerned in the conducting of the press, are to be told that "a new *era* has begun," and are to be threatened with a total change of the system of "forbearance," as it is called, under which we have hitherto written and published!—Very wide indeed is the difference between censuring the language, opinions, and conduct of individual members, or of parties, and censuring the decisions of either House of parliament, particularly decisions in its judicial capacity; but, in censures of the former description, there are very few of the public prints which have not refrained from asperity of language when speaking of the conduct of members of parliament, as members of parliament; or, at least, which have not exercised a greater degree of cautiousness in such cases than in any other; and, if this practice has been departed from in any one instance more than in all others put together, it has been in that of the newspaper, of which *you*, Sir, was the principal conductor.

This leads us to the THIRD point which I posed to consider, that is to say, the injudiciousness of the writer in the Oracle in selecting *your* name, under which to publish a threat against the editors of public papers, and that of *Sir Henry Mildmay*, under which to make a sort of protest against an alleged attempt to abridge the liberty of the press as to parliamentary proceedings.—That *you* were the principal conductor of the newspaper, published in 1797 and 1798, called the "Anti-Jacobin, or Weekly Examiner," is notorious to all those who are connected with the press, and, indeed, to every one moving in the political circles of the metro-

polis; but, to leave nothing dubious as to this fact, I positively assert, that *you were the principal conductor of that print*, of which assertion, if required, I can, at any time, prove the truth. Upon looking over the 36 numbers, to which the Anti-Jacobin extended, I should suppose, that about one-fourth part of its contents consists of comments upon the speeches of members of parliament, and upon their conduct as members of parliament. As a specimen of these comments one might take the passage, where *you* speak of "*that man's* speech, who stood up in his place in the House of Peers, and, as the best way of furnishing the enemy with arguments, without endangering his head, declared that he put himself in the place of the French Directory, and spoke accordingly." (Anti-Jacobin, No. 2.) What *man* you alluded to here I cannot say; but he must have been a peer of the realm, and it ought to be remembered, that *you*, who were thus publishing upon his conduct, were, at the same time, a member of the House of Commons. But, I will come to a "*man*," whom *you* thought proper to designate by his proper name, and, not to fatigue you, I will confine myself to one, Lord Moira, whose speech relative to the state of Ireland, in 1797, was commented on in language too indecent to be repeated. His lordship was described as "*a dupe*;" as having stated "*gross falsehoods*" in his place in parliament; as having attempted "*to cozen*" the House of Lords; and, in short, there is scarcely an act which a gentleman ought not to be guilty of, scarcely a quality which a gentleman ought not to be ashamed to possess, that was not imputed, over and over again, to Lord Moira; and this, as far as appears from your paper, for no other reason than that this nobleman had, in his place in the House of Peers, made a speech, in which he censured the conduct of the ministers. The many instances, in which *you* bestowed on other persons the name of "*fool*" and "*liar*," I shall, perhaps, refer to another time. At present I have confined myself to your attacks upon one particular person, which were avowedly made on him in consequence of something which he had spoken in his place in parliament, and which attacks will, I am persuaded, be found very far to surpass, in point of rudeness and malignity, any thing ever, before or since, published, in this country, by way of comment on the speeches of a member of parliament. Let the public judge, then, of the decency of Mr. Stuart, in now proclaiming, under *your* name, the commencement of "*a new era*," and the cessation of "*the system of for-*

“*pearance*,” merely because an atrocious libel in a ministerial print has, at last, been noticed.—But, the injudiciousness of selecting your name for this purpose will appear still more evident upon looking back at your conduct relative to Mr. Perry, when he was, as we have just seen, punished for a libel on the House of Lords. This event occurred at the very time that you were sending forth to the public, in your print, the above-mentioned libels upon Lord Moira and others. Mr. Perry, supposing him to have seen, and even to have been the writer of, the libel that appeared in his paper, was only following your example, and following it, too, as I think I have shown, at a very humble distance. One would have thought, that to enjoy the advantages which you enjoyed, to combat behind a masked battery, while your adversary was exposed to all the dangers of literary and legal warfare; one would have thought, that this was enough to infuse into the meanest of minds some little portion of magnanimity. Not so, however, with you, who, instead of carefully abstaining from all remarks upon the subject of Mr. Perry’s offence, while he was under the animadversion of the law, the moment of his being sent to prison you chose as the most proper for publishing upon his conduct strictures evidently intended to prevent the duration of his imprisonment from being shortened, and, if possible, to deprive him of the compassion of all those whose compassion was worth having. Mr. Perry’s politics, relative to the French revolution, were, in my opinion, bad; while yours, as far as you could, with propriety, be said to have any *politics*, were good. But, this circumstance cannot change the character of your conduct as connected with the subject before us. It was, indeed, very generally thought, that the *cause* suffered not a little from the manner in which *your* department of the Anti-Jacobin was conducted; an opinion which, in all probability, prevented the continuation or the revival of that work, and the correctness of which opinion appears now to have received a pretty satisfactory verification in the well-known fact, that an edition of the Poetry of the Anti-Jacobin is now, by way of *puff*, advertised for sale “at the price of “*waste paper*.” I speak here of what cannot be denied. A *puff*, in the words I have quoted, has recently appeared for several days successively in the Morning Post and other newspapers. In order to invite people to a great book auction, they mentioned certain great *bargains*; and, amongst others, that “*Mr. Canning’s*” (for they even put *your* name, Sir,) “*Mr. Can-*

ning’s elegant poetry of the Anti-jacobin is “*selling off* at the price of *waste-paper*.” *Waste paper*! What, Odes, Ballads, Needy Knife-Grinder, Miss Pöttingen, and all! All *waste paper*! “*To what base uses we may return, Horatio!*” Yet, some persons doubt, whether, as far as you were immediately concerned, the last use of even the most unfortunate sheet of these volumes will not be full as honourable as the first; and, indeed, this doubt would become a certainty were we, as a criterion of your work, to take that part, which records your triumph over Mr. Perry, while he was suffering under the exercise of that power, from which you felt yourself protected; which exhibits you, mounted upon your dunghill and surrounded by a fence to the tree-tops, clapping your wings and crowing out victory over an adversary, to the fall of whom neither your talents nor your courage had in anywise contributed.—And, Sir, was it, then, judicious in the upstart writer in the Oracle, to select *your* name, under which to complain of the conduct of Mr. Grey with regard to the author or publisher of the recent libel upon the House of Commons? Ought not that upstart writer to have recollected your conduct with regard to Mr. Perry? Or, are we to suppose, that he, as is not unfrequently the case with upstarts, regarded the public as having no right to exercise their senses in any way that might prove disadvantageous to him? The libel, recently published in the Oracle, was, beyond all comparison more malignant, as well as more dangerous in its tendency, than the libel for which Mr. Perry was fined, and imprisoned in Newgate; and, therefore, I ask, what, recollecting, as he must, your conduct with respect to Mr. Perry; what degree of assurance, what effrontery, what insolence, must this upstart possess to enable him to publish, under *your* name, a complaint against the severity of those who had noticed the libel in the Oracle, and a threat of retaliation upon all the other prints in the country?—But, though the selection of your name was, I think it will be allowed, very injudicious, I question whether it will not be found, that the selection of the name of *Sir Henry Mildmay*, under which to make a sort of protest against an alleged attempt to abridge the liberty of the press, as to proceeding in parliament, was still more injudicious. It was *Sir Henry Mildmay*, he tells us, who presented to the House of Commons the petition, inserted in page 676 of the foregoing sheet. He (the writer in the Oracle) says, that *Mr. Stuart*, the petitioner, “came to the determination of soliciting some *independent*

" member of parliament to present his petition, some gentleman whom all sides of the House looked up to with respect and esteem, and such a member he happily found in the person of Sir Henry Mildmay." Having thus characterized this gentleman, he, in another part of his paper of the 3d instant, publishes a speech which he imputes to Mr. Windham, and another speech which he imputes to Sir Henry Mildmay. Mr. Windham is represented, and I dare say very truly, as being unable to restrain his indignation at the insolence of the petition; while, on the other hand, Sir Henry Mildmay is represented as having declared, that he "could not perceive what there was in the petition so improper as to raise such indignation in the mind of the Right Hon. Gentleman; he thought the petitioner had stated nothing but what he had fairly a right to state."—Upon reading these passages, one would be tempted to believe, that Mr. Stuart's pilgrimage, in search of an "independent" man, was something like that of the philosopher with his lantern. But, surely, independent men are not so very rare to be met with amongst the members of the House of Commons! Surely, Sir Henry Mildmay, however independent, however respected and esteemed "by all sides of the House," has no pretensions to a monopoly of independence, respect, and esteem. Nothing is more foolish or more unjust than to suppose, that all those who are in office, or who may be reasonably presumed to look towards office, are *dependent*, and, on the contrary, that all those, who have never been and are never likely to be in office, are *independent*. "Independent" is, Sir, always an epithet of dubious, and, frequently of no very amiable meaning. It is, indeed, sometimes applied to men of high minds, of original thought, of action not waiting for the dictation of others, not influenced by considerations of self-gratification of any sort; and such men are *always* independent, whether in office or out, whether high or low in life. But, at other times, the word "independent" is used for a very different purpose; for you shall hear it applied, with all the pomposness imaginable, to men who have no one of the characteristics of real independence; men who have too much money to need a salary, and too little sense to fill an office; who are too proud to be content to move in the circle for which nature, in a niggardly mood, has formed them, and yet, too mean to refrain from becoming the tool, the mere cat's-paw, of a minister, or, more frequently, of a minister's underling, with a view of ob-

taining titles, which they want the talents and the spirit to obtain by letters or by arms. We must, however, suppose, that it was in its better sense, that it was applied to Sir Henry Mildmay; but, upon that supposition, I cannot allow, that, amongst the members of the House of Commons, it could be so very great a difficulty to find an independent man; while, as I think I am now about to show, it would, in one respect at least, have been very difficult indeed for this writer to have been more unfortunate in the selection of the name of a gentleman, under which to publish sentiments favourable, not only to the perfect liberty, but to the licentiousness of the press, as to the proceedings of parliament.—Sir Henry Mildmay, Sir, during the session of parliament which commenced in the autumn of 1800, made a speech in the House of Commons upon the subject of tythes, as connected with that of the encouragement of agriculture; and, in that speech, he broached an odd sort of project for compelling the clergy to submit to a composition in lieu of their tythes; the adoption of which project he seemed to regard as essentially necessary to remove the great discouragement to agriculture, which, according to his notion, existed in the right possessed by the clergy of choosing between a composition and the taking up of their tythes in kind. In about ten or twelve days after this speech was published in the newspapers, a gentleman who happened to read it in the daily paper at that time published by me, wrote to me, for publication, a letter commenting thereon. I knew the writer to be a clergyman of great respectability and of no small literary fame; I perfectly agreed with him in opinion as to the main principles upon which he proceeded; I approved almost entirely of the matter, and had very little objection to any part of the manner of his letter; and, accordingly, I published it, agreeably to the writer's request. This brought a complaint from Sir Henry Mildmay in person. He asked me, if I was aware, that, in publishing a comment upon a speech of a member of parliament, I had committed a very grave offence, and had rendered myself liable to be severely punished. He made use of some kind expressions towards me, personally; said he should be sorry to be instrumental in my ruin; and was willing, on account of my being a stranger to the laws and customs of this country, (he and I were, I believe, born about eight miles from one another!) to overlook my fault, provided I would, in the next number of my paper, disavow or retract what I had published as a comment on



his speech, and make a suitable apology. I told him I was flattered by the good opinion he appeared to entertain of me, and that, when to that was added the indulgence he had been pleased to express his readiness to show on account of my ignorance of the laws and regulations to the severity of which I might have subjected myself, it was impossible that I should not be disposed to do every thing in my power to afford him satisfaction; but, that having published his speech, and being convinced, that, upon every thing once printed and published, any one had a right to comment, I could not, consistently with my notions of the liberty of the press and of the justice of my correspondent's request, refuse to insert the letter; and, that, having, for these reasons, deliberately inserted it, which reasons I had yet heard nothing to invalidate, I could not think of making an apology for the insertion. I informed him, besides, that, as to all the main points I perfectly agreed in opinion with the writer of the letter, and that, therefore, to disavow or retract the sentiments of the letter would be an act of meanness which I was sure he would not like to see me commit. I, moreover, assured him (and I did it with perfect sincerity), that no personal disrespect to him was meant by me; I observed, that, if my correspondent had mixed a little asperity with his reasoning, I trusted he would have the liberality to excise it, when he considered that it had flowed, without much time for reflection perhaps, from the mind of a man irritated with what he could scarcely help regarding as an attack upon the order to which he belonged.—All this had no effect. He still insisted, that the sentiments should be disavowed or retracted, and that an apology should be made. I then told him, that I had no objection to apologize *for inserting the report of his speech*; because I knew that to be an act of disobedience; but, that, as to the *letter*, I well knew that it was perfectly innocent in itself; that, as a comment upon a thing printed and published in a newspaper, I was sure it could be no breach of the privileges of parliament; and that, so far was I from being disposed to apologize for the insertion, that it became me frankly to tell him that I was just going to insert a second letter from the same writer upon the same subject, being very willing to acknowledge my fault in having published speeches of members of parliament, but being, at the same time, firmly resolved not to relinquish the right of publishing comments on any thing that had once been printed and published. Finding him, however, still determined to proceed to extremities; still rising rather than falling in

the terms of his menaces; I reminded him, that there would be found, too, something peculiar in this case; and, that, in fact, he himself, since he would force me to speak out, was the only person, to whom any blame could be reasonably imputed, he having expressly authorised the publication, and, having, indeed, been the publisher, of the speech, upon which the comment had been made. "You will find it very difficult to *prove that*, I believe," said he. "No," said I, "I have a witness whose veracity I am certain you will not dispute." "Aye!" said he "who is he?" "Here it is," said I, producing the speech in that identical manuscript, which he had sent to my printing office, with a direction to have it inserted! We soon afterwards separated; he preferred no complaint against me to the House; the occurrence very soon dropped from my memory; and I dare say, Sir, I never should have thought of it again, had not the upstart writer in the Oracle absolutely driven it back into my mind, by holding up Sir Henry Mildmay as a person *indulgent in the extreme* to those who comment, not only upon the *speeches* but upon the *decisions* in parliament; and, indeed, as the *approver* of pert and insolent language in a man, who comes to obtain his release from a seven day's imprisonment, imposed in consequence of his having published against the House and against its solemn decisions in the most solemn of its capacities, a libel which has, I believe, never before been equalled, in point of malignity, by any libel on any branch of the legislature. The imputation must be false. In the letter above-mentioned, there was nothing libellous; nothing personal; nothing rude; nothing very harsh or severe: it was written by a gentleman and a scholar, and it was, in every respect, worthy of its author. It contained, indeed, a refutation of the statements of the speech, and I thought it proved the speaker to be profoundly ignorant of the subject, which he had been induced to bring forward to the House; but this was its only sin, and, surely, it was not one to be put in comparison with that of the libel of the Oracle. There is, as every one must perceive, a wide difference between even a libel upon a single member and a libel upon the House; but, besides, this, the letter I have been speaking of was merely an argumentative comment; its object was not *censure*: how, wide, therefore, was the difference between that letter, to which Sir Henry Mildmay was so tenderly alive for his own sake, and the paragraph in the Oracle, of which Mr. Grey complain-

ed, in behalf of the House, and for having made which complaint, the upstart writer in that paper has accused him of having aimed a destructive blow at the liberty of the press, while, in the same breath, he extols Sir Henry Mildmay as the zealous champion of that liberty !

In my next, Sir, I propose to enter upon the topics hinted at in the former part of my first letter.—I am, Sir, your, &c. &c.

May 16th, 1805.

W. COBBETT.

LORD MELVILLE'S PLACES.

SIR,—Your hints relating to Lord Melville's 'places will, I trust, prove useful to the public ; but, in mentioning the *precedent* of the grant of the Privy Seal to his lordship's immediate predecessor you might have observed, that the predecessor was *the brother of the Earl of Bute*.—Probably you thought it superfluous ; but the statement of the fact might have brought to the recollection of persons, who were in Parliament, or attended to the politics, in the earlier years of His present Majesty's reign, certain circumstances, shewing what were the ideas, at that period, of the question now in hand.—Which John, Earl of Bute was all-powerful in this country, his brother, Mr. Stewart Mackenzie, was the *minister for Scotland* ; that is the channel through which all preferment in that country went. In the year 1763, it was intended to make him Keeper of the Great Seal, that after the appointment had actually passed the King's hand, it was discovered that it would render Mr. Mackenzie ineligible to Parliament.—The Duke of Athol, who then held the Privy Seal, was induced to resign it, and take the Great Seal, and Mr. Mackenzie was appointed Keeper of the Privy Seal, to which office the same objection, for reasons I need not state, was held not to apply. But, Mr. Mackenzie was not then appointed for life, as nobody supposed the office could be so given. Accordingly, on the change of the ministry in 1765, he was dismissed.—On the coalition between the Lords Chatham and Bute in 1766, Mr. Mackenzie was re-instated, and to prevent, as far as possible, his losing the office, in case of a future change, it was granted to him *for his life*.—Much doubt was entertained, at the time, whether it could be effectual, but the chance was worth taking.—I believe, no doubt was entertained, that, in case of the Royal demise, the grant must fall ; but His Majesty's life was better than Mr. Mackenzie's.—As to the office of Keeper of the Signet, of which Lord Melville had a grant *for his life*, which is now held by his son, upon the

same terms, I believe ; the custody of the Seal, called the Signet, belonged, as you have stated, *ex officio* to the Secretary of State.—In 1756, when the office of Secretary for Scotland was abolished, or laid aside, the custody of this Seal (under which various grants, and all the King's judicial writs must pass) was given to Andrew Fletcher, Esq. with the title of Keeper ; and, on his death, to the late Sir Gilbert Elliot. Whether either of these gentlemen, had the office granted to him for life, I cannot say positively ; but I believe not ; for the grant to Lord Melville, in that way, occasioned some surprise, at the time, and was attributed to the Earl of Shelburne's desire to attach Mr. Dundas to his interest by the handsome mode of making him *indépendant*.—That the Keeper is, in fact, *the Secretary* is strictly correct, and is demonstrated by Mr. Dundas the present Keeper, holding his seat in Parliament ; for if it were a new office he would be ineligible.—Here is another anecdote shewing that formerly it was understood that the custody of the seals could not be granted *for life*. Archibald, Duke of Argyle, was long *the Minister for Scotland*, holding the two offices of Keeper of the Great Seal and Lord Justice General, and First Criminal Judge in Scotland, the last being now almost a sinecure. It was intended to make an addition to the duke's sinecure by increasing the salary of the Keeper of the Great Seal, just as Lord Melville lately obtained the addition to that of the Privy Seal. But the duke, whose sagacity was proverbial, observed, that, as he might be turned out of the office of Keeper, it was better to make an addition to that of Justice General, which he could legally hold for life, as one of the Judges ; the matter was managed accordingly. His grace never dreamed that the office of the Keeper of the King's Seal would be granted either for the life of the Sovereign or for that of his grantee.—Constantly when the Justice General was absent, the Clerk of the Justiciary Court supplied his place. Hence the Second Criminal Judge in Scotland (in truth the first efficient one) bears the very awkward title of *Lord Justice Clerk*.—I am, Sir, your *humble servant*,

A. B. May 13th, 1805.

MESSRS. DUNDAS, PITI, AND BENFIELD.

SIR,—I do not know what the precise amount of the debt due from the East India Company, to the creditors of the Nabob of Arcot may be ; but, I fancy it exceeds three millions sterling, and is a part of the present India debt. You have often alluded to the Nabob's debts, and the sanction which Lord

Melville gave to the claims of his creditors. It is certainly the most questionable part of his conduct, as the minister of India. I will endeavour shortly to state the case. It was an old standing order of the Company, that none of their servants should lend money to the Zemindars or native Princes. But, notwithstanding this order, many persons tempted by the high interest, of thirty, forty, and even fifty per cent., did make loans to the native Princes and Zemindars, in every part of India. I suppose, there may be at this moment, two millions sterling due to the principal and legal interest of money, lent at various times, by British subjects, to natives under the *Bengal government*. But, as these loans were in disobedience of positive orders, no man in Bengal was *hardy* enough to apply to the government abroad or at home, for assistance in recovering their debts, until the debts of the Nabob of Arcot *had been legalized*, and then, I believe, some applications were made though *unsuccessful*. I do not hazard too much, when I say, that the Bengal debts, were at least as *fairly contracted*, as those of the *Nabob of Arcot*.—In 1784, Mr. Dundas, contrary to the strong remonstrances of the Court of Directors, gave a legal sanction to all those debts. The transaction is fully stated by Mr. Burke, in a speech from which you have made some quotations, but, I think, he has not been correct in all his conclusions. A small part of the debt was contracted with the knowledge of the Madras government, and at a time, when the loan to the Nabob was of essential advantage to the Company. But the great mass of the debt was contracted in defiance of their positive orders, and therefore, as the Directors argued, *they ought not to interfere in it*. But Mr. Dundas was of a different opinion. His argument was this. If the Nabob will continue to assert, as he does, that this whole debt, was for money *bona fide* lent to him in the course of the last thirty years, and for the interest of which he has not paid, there is no possibility of discovering whether the bonds were given for money lent or not. He directed, therefore, that the whole of the debt, to which the Nabob might not object, should be paid by instalments. You will observe, that at this time, 1784, the Nabob was deeply indebted to the East India Company, and by the arrangements, the Nabob was to pay a certain sum annually, for the gradual liquidation of his public and private debt. The Directors were compelled by law to transmit this order to Madras, though against their own opinion, and after they had remonstrated against it in the strongest terms. The bonds of the

Nabob from this time became a *marketable commodity*, after having been for many years little better than waste paper.—In 1790, Lord Cornwallis was compelled to apply the whole revenues of the Carnatic to the support of the war with Tippoo Sultaun; and the payment both of interest and principal on the Nabob's debts to individuals was suspended, amounting during the suspension of interest, nearly to a million sterling.—After the peace with Tippoo, the creditors applied for the interest which was due to them during the period that the revenues of the Carnatic were under sequestration. This claim the Directors rejected, understanding that the payment of interest was to discontinue during war. Mr. Dundas was of a different opinion, and though he admitted that the payment of interest must *discontinue*, yet the *claim* was only *suspended* for a time. In vain did the Directors argue that this was not the *true construction* of an agreement forced upon them. Mr. Dundas a second time compelled them to transmit orders to India, of which they did not approve.—In 1801, Lord Wellesley assumed the sovereignty of the Carnatic, and made the Nabob a pensioner. From that moment, the creditors became creditors of the Company, and there is no distinction between the debt due to them, and to individuals, who have *bona fide* lent their money to the East India Company. You will find the original history of this transaction, very fully detailed in the Parliamentary Debates of February, 1805, when Mr. Fox brought forward a motion on the subject. If I am not mistaken, Mr. Paul Benfield had at that time bonds of the Nabob, to the amount of half a million sterling; which, I believe, was about one sixth of the whole debt, and no man in his senses would have given Mr. Benfield fifty thousand pounds for his bonds, prior to Mr. Dundas's arrangement.—It may be said, that as the Company are now the Sovereigns of the Carnatic, it would be highly unjust in them not to pay the debts of the late Sovereign, even if the arrangements of 1784, had not taken place. But this would be false reasoning. The objection of the Directors was, that five-sixths of the debt, had been contracted against their most positive orders, which applied not only to their servants, but every individual residing under their sanction in India; consequently, the man who engages in an illegal peculation has no claim for redress.—I have said, that of the debt now existing in India, three millions sterling is due to the creditors of the Nabob of Arcot. But, I rather think, if I add what the Company has already paid, I may say,

that a third of the whole debt of the Company in India, is owing to the legal sanction which the Company gave to these debts.

—Those who knew the late Nabob of the Carnatic, Mahomed Ally Cawn, must be convinced, that when he wanted money, he was indifferent as to the price he paid for it, or the interest that he allowed. It was precisely the same with the late Nabob of Oude, whose creditors are to this day unpaid, and must ever remain unpaid, because the Bengal government would not interfere, in behalf of his creditors.—I am, Sir, your humble servant,—*ASIATICUS.*—May 14, 1805.

COLLECTORS OF TAXES.

SIR,—On reading VERAX's second letter in your paper of the 27th ultimo, after having read your arguments to prove that the *country has sustained a loss*, by the malversations of Lord Melville, a man's mind is imperceptibly forced to other matters of finance. I say *forced*, because all circumstances relating to public money are immediately about us, and press directly on our senses: they are not regarded with the, too often, cold indifference with which the mass of the people of all descriptions, view the alarming increase both of power and territory, of Napoleon. The heart-burnings in the West-Indies, the calamities in India, and such like events, which though tremendous in themselves, lose great part of their consequence, because they do not *immediately* affect us. Not so as to the present value of money! Not so as to the sums they pay the collectors of taxes. Every man *sees* and *feels* that the state of things is altered. Every man perceives that by these overwhelming causes, the comfort and respectability of the clergy, and other parts of the minor aristocracy, have merged into the vortex of merchants, contract jobbers, and men directly under government. The country swarms with them, they absorb every thing, and every consideration. They are the “*locusts* which cover the face of the “*earth*;” “and the clouds which hide the “*light of Heaven* from our view.” But great as are the deprivations, by the majority of the people they were cheerfully submitted to, so long as they conceived the public expenditure was guarded with *honour* and *integrity*, so long as they supposed, the imposed burthens were necessary, to ward off the attack of the modern Charlemagne. But, Sir, the people have been grossly deceived; they find “the Pilot who wea-“ thered the Storm,” “who clear'd the “Breakers,” is steering a direct course for

some sunken sands, on which, without some change, we must inevitably stick. They find the money, taken from the hard earnings of the people, from the labour of the country, from the, too often, scanty pittances, and insufficient tithes of the clergy, from the already too small pay of the officers, lavished with profusion; the law for directing its appropriation, broken, and immense sums of it put unnecessarily to hazard. Surely under such circumstances, *orderly* and *respectable* meetings, at which the aggrieved people may remonstrate, can be considered in no other light than as honourable to the feelings of human beings, endowed with reason. They find also, that in the midst of all our perplexities for forming, reforming, and counter-forming volunteers, for adjusting places, pensions, and peerages, for propping administrations, and screening delinquents; for dividing and sub-dividing county meetings, for raising armies by the local influence, of parish officers. They find, I say, that little or nothing is done to check the career of Buonaparté. They find the aggrandizement of the tyrant, increase, equal to his thirst, under the politics of Mr. Pitt; and they find that after he has had the sole control of *us*, for twenty years, of our *purses, manners, habits, and senses*, he has left the whole, particularly the last, comparatively in a most shameful state of degradation.—But, Sir, on these subjects one might descant for ever; who that has a spark of that feeling which has ever characterised the people of this island, but will exclaim with Macbeth,

— Can such things be
And overcome us like a summer's cloud,
Without our special wonder?
You make me strange
Ev'n to the disposition that I owe,
When now I think, you can behold such things;
And keep the natural ruby in your cheeks,
While mine are blanch'd with fear.

But, Sir, to return as briefly as possible to the point from which I started—Verax points out, and with great truth, that much mischief must accrue to the public, from the circumstance, of persons acting in the double capacity of *collectors* and *paymasters*; to which end it is obvious they must be suffered to hold in their hands large balances, in a twofold proportion larger than otherwise there would be any occasion for.—Now, Sir, for the sake of exemplification, only take the office of *Receivers General* for counties: they are *distributors* as well as *collectors*, and must have, as has been already observed, a considerable balance for the former purpose. Now *each county* has *one* gentleman filling this office, some have *two*.

I am not prepared to say what is generally the average balance in each receiver's hand: but there can be no doubt but that it is considerable, very considerable, and that if the average sum was multiplied by the number of receivers in the kingdom, it would make a balance, for that head of service alone, incredible. Exactly the same may be said of collectors of customs; with this only difference, that they are not so many in number; and, indeed, the same may be said, of every similar office under government.—The *cause* of this obvious loss is too well known. The *effect* is, I think, equally clear; to wit, that the *interest* of such money is properly the public's, for they have advanced it before it is wanted, and certainly to no purpose. I leave out of the question the temptation held out, to follow the example of Mr. Trotter, of gambling with this money, and thereby risking the whole; (as in the case of Mr. Jellicoe)—I leave out of the question the illegality, for illegal I am convinced it is, of increasing the salary, or in other words, value of such offices beyond what was intended by the legislature.—These, and a thousand such transactions, call loudly, and, I trust, not in vain, for reform, redress, and change of system.—I am, Sir, with great respect, your obedient humble servant,—R. B.—*Portsmouth, May 1st, 1805.*

OXFORD PETITION.—On the 8th of May, 1805, a petition of the Chancellor, Masters, and Scholars of the University of Oxford, was presented to the House of Commons, setting forth, That the petitioners have seen, by the votes of the House, that a petition from certain noblemen, gentlemen, and others, Roman Catholics of Ireland, whose names are thereunto subscribed, on behalf of themselves and others His Majesty's subjects professing the Roman Catholic Religion, hath some time since been presented to the House, complaining of divers restraints and incapacities to which, notwithstanding the various indulgences heretofore granted them from time to time, they are still subject by the several statutes now in force against them; and praying that they may be effectually relieved from the operation of the said statutes, as being now no longer necessary to be retained; and that the petitioners contemplate, with much concern and anxiety, the alarming extent of the prayer of the said petition, and the consequences which, in their apprehensions, must inevitably follow, if the same should be complied with; and that the petitioners, notwithstanding the allegations contained in the above-mentioned

petition, do verily believe, that, by the wisdom and liberality of the legislature, every safe and practical indulgence hath already been extended to their Roman Catholic fellow subjects in Ireland, and that the restraints and incapacities to which, by the statutes now in force, they are still subject, and of which they now complain, are no other nor greater than are indispensably requisite to the maintenance and security of the Protestant Government and Protestant Church, as they are happily by law established in that part of the United Kingdom; and that the petitioners see also much reason to apprehend, that a compliance with the prayer of the above-mentioned petition would lead, and, they fear, by direct and necessary consequence, to the removal of every similar restraint now subsisting within this realm of England, and to the abrogation of those oaths, declarations, and tests, which are by law required of every person admitted to sit or vote in either House of Parliament, or to exercise offices of trust and power; all which, they are thoroughly persuaded, are still essentially necessary to the permanence and security both of our civil and religious establishments; and therefore praying, that the House, in its wisdom, would be pleased still to maintain and preserve inviolate those laws which they sincerely believe to be the best safeguards, under divine providence, of our present happy constitution both in church and state.—Ordered, That the said petition do lie upon the table.

SUMMARY OF POLITICS.

ROMAN CATHOLIC PETITION.—On Friday, the 18th instant, a very long debate took place, in the House of Lords, upon a motion of Lord Grenville for the House to go into a committee to inquire into the prayer of the Roman Catholics of Ireland. The debate was adjourned, and resumed on Monday, the 13th; on which day the same subject was discussed in the House of Commons upon a motion of Mr. Fox, similar to that of Lord Grenville. There also the debate was adjourned, and was resumed and closed the next day. The numbers were, in the Lords, 49 for the motion, and 178 against it; in the Commons, 124 for the motion, and 336 against it.—The petition of the Roman Catholics will be found in p. 522; and the opposing petition of the University of Oxford will be found in the present sheet.—This is so large a question, that it would be presumptuous to attempt to write upon it in a compass like that which I now have before me. The debates upon the subject are very important, and will be given nearly at full

length, and with great care, in the fourth volume of the Parliamentary Debates.—The conduct of Mr. Pitt (the PILOT, as Mr. Canning calls him in his song) is, at present, the principal object of attention; and, in order to enable the readers of this work to form a correct and impartial judgment with regard to that conduct, I will here quote, at length, his declaration upon the subject of the Catholic claims, at the time when he resigned in 1801.—During a debate in the House of Commons, on the 16th of February, 1801, as reported in Debrett's Parliamentary Register, Mr. Pitt said: “The rumours, indeed, which have been spread abroad, were so far founded, that it was upon account of the turn which the Catholic question took, the success of which he had conceived to be *essentially necessary to the strength, prosperity, and unanimity of the United Kingdoms*, that he felt himself bound, in *conscience* and in *honour*, to give in his *resignation*. This much he would not hesitate to explain as to the motive of his *resignation*; but he trusted it must be looked upon as a new doctrine to assert that a minister was obliged to assign every motive which might influence his *resignation*. He must venture to believe that it never before was imputed as a crime to relinquish a high and honourable situation, which it was the ambition of his life and the passion of his heart to continue to fill, as long as his exertions could contribute to the welfare of his country, because he felt that a further continuance in that situation had become incompatible with that conduct which the dictates of his honour and of his conscience prescribed. He would only add, that as to the merits of the Catholic question, and the propriety of the sentiments which he entertained respecting it, he would now say nothing more; he would rather leave the part he embraced in it to the more enlightened judgment of the country, and to the impartial decision of posterity. The early discussion and decision of that question he thought were incumbent upon those who, under the circumstances of the union, which they were so auspicious to effectuate, considered it as a measure of the utmost importance to the strength and tranquillity of the empire. So strong was his conviction of the propriety and necessity of that measure, that he could not continue to remain a member of that government which deemed it inexpedient to entertain it. Whatever his future opinion and conduct should be respecting that question, when he no longer acted as part

of administration, that opinion and conduct, should be regulated by what had uniformly guided the tenour of his public life; first to take a cool, deliberate, and conscientious view of the subject, and then adopt that decision which to him should appear best calculated to promote the strength, the unanimity, and the general welfare and prosperity of the empire.”

—Here is a little salvo at the close; but, observe, it was only in the case when he should “no longer act as part of administration,” that he reserved to himself a right of future deliberation upon the subject.

—Connected with the foregoing declaration are two papers, which were distributed in Ireland, at the time of the resignation in 1801. Upon reading these papers, which it is very well known, and never has been denied, issued from sources more than half-official, one does, as the author of the Plain Reply observes, clearly perceive an evident desire to engage the Roman Catholics in the support of that minister, who had “espoused their interests;” who had “sacrificed his own situation in their cause.” One cannot help thinking, adds he, that the man who was so earnest in courting and securing the good will of so formidable a body, must have had an eye to coming in again, even at the moment when he went out. The papers here alluded to are inserted both in Sir Richard Musgrave's and Mr. Plowden's histories. One of them was in the following words: “The leading part of his Majesty's ministers finding unsurmountable obstacles to the bringing forward measures of concession to the Catholic body whilst in office, have felt it impossible to continue in administration under the inability to propose it with the circumstances necessary to carrying the measure with all its advantages, and they have retired from his Majesty's service, considering this line of conduct as most likely to contribute to its ultimate success. The Catholic body will therefore see how much their future hopes must depend upon strengthening their cause by good conduct; in the mean time they will prudently consider their prospects as arising from the persons who now espouse their interests, and compare them with those, which they could look to from any other quarter; they may with confidence rely on the support of all those who retire, and of many who remain in office, when it can be given with a prospect of success. They may be assured, that MR. PITT will do his utmost to establish their cause in the public favour, and prepare the way for their finally

[729] con- had public and then should be the neral nspire." but, en he ninish- self a bject. clara- buted on in which, been half- Plain ident in the oused ed his can- in who g the have at the papers r Ri- s his- owing esty's obsta- res of list in tinue to neces- all its from is line ute to body future ening mean- their s who npare look may of all o re- with be 2- tmost ic, fo- inally

"attaining their objects: and the Catholics will feel, that as Mr. Pitt could not concur in a hopeless attempt to force it now, that he must at all times repress with the same decision as if he held an adverse opinion, any unconstitutional conduct in the Catholic body. Under these circumstances it cannot be doubted that the Catholics will take the most loyal, dutiful and patient line of conduct, that they will not suffer themselves to be led into measures, which can, by any construction, give a handle to the opposers of their wishes, either to misinterpret their principles, or to raise an argument for resisting their claims; but that by their prudent and exemplary demeanour they will afford additional grounds to the growing number of their advocates, to enforce their claims on proper occasions, until their objects can be finally and advantageously attained."—The other paper was entitled, "THE SENTIMENTS OF A SINCERE FRIEND, (i. e. MARQUIS CORNWALLIS) TO THE CATHOLIC CLAIMS," and was worded thus: "If the Catholics should now proceed to violence, or entertain any ideas of obtaining their object by convulsive measures, or forming associations with men of jacobinical principles, they must of course lose the support and aid of those who have sacrificed their own situations in their cause, but who would at the same time feel it to be their indispensable duty to oppose every thing tending to confusion. On the other hand, should the Catholics be sensible of the benefits they possess by having so many characters of eminence PLEDGED NOT TO EMBARK IN THE SERVICE OF GOVERNMENT, EXCEPT ON THE TERMS OF THE CATHOLIC PRIVILEGES BEING OBTAINED, it is to be hoped, that on balancing the advantages and disadvantages of their situation they would prefer a quiet and peaceable demeanour to any line of conduct of an opposite description."—Pledged, observe! Pledged not to embark in the service of government except on the terms of the Catholic privileges being obtained! These "characters of eminence" were, doubtless, Mr. Pitt and his colleague Mr. DUNDAS, now Lord Melville; the Lords SPENCER and GRENVILLE, and Mr. WINDHAM. Others were meant, perhaps, but these were the gentlemen who resigned in 1801, upon the grounds stated by Mr. Pitt. The three latter had, I am pretty confident, nothing to do with the papers circulated in Ireland; I can almost take upon me to assert, that they gave no pledge whatever as to the terms on which they would or

would not embark in the service of government; but, we see that they have supported the petition of the Catholics, while Mr. Pitt, in whose behalf the high sounding promises were given, has opposed the going into a committee, even to enquire whether those claims, the granting of which he regarded as *essential to the safety of the country*, ought to be granted, or not. In his speech, made during the late debate, the sum of what he is reported to have said was, that he still entertained his former opinions as to the wisdom of granting the Catholic claims; but that, finding that there were obstacles to the carrying of such a measure, he had, for the present, given up all thoughts of attempting to carry it. This might be a very good reason for his vote on Tuesday night; but, where are we to look for his justification in again, during the existence of these obstacles, embarking in the service of that government, in which neither *conscience* nor *honour* would suffer him to continue, unless those obstacles were removed? The Roman Catholics were told, as we have seen in the paper above quoted, that he stood "pledged not to embark in the service of government, except on the terms of the Catholic privileges being obtained." When, therefore, they saw him again embarked in that service, they naturally expected, that all the obstacles to the granting of their claims were removed; instead of which they find these obstacles to be greater than ever; and they see this the great supporter of their claims, become their opponent! Well might Mr. DILLON declare, as he did in a manner very honourable to his character; well might he, as a man of "*conscience* and *honour*," declare, that he could no longer give his support to Mr. Pitt.—It is curious enough, that, of the ministers who resigned in 1801, the only person, in whose behalf any pledge was, in reality, given to the Roman Catholics; the only person who publicly declared, that "*neither conscience nor honour* would suffer him to make part of "*a government*" that would not or could not bring forward and support the claims of the Catholics; the only person who stood thus deeply committed, was that very gentleman, who, of the ministers that resigned in 1801, has been the only one to oppose those claims. For any thing that I have ever seen or heard, there would be nothing inconsistent, nothing arguing a want of principle, in either of the *other gentlemen*, who resigned in 1801, again entering the cabinet, though it should appear to them impossible to carry the measure which they then endeavoured to carry. They made no un-

bending declarations; nobody circulated pledges for them. They would then have carried the measure, if they could have done it; and, if they could, they would have done it now. But, *they*, indeed, were left at perfect liberty to re-enter the cabinet, and yet to choose whether they should agitate the question, or not. How different, then, has their conduct been from that of Mr. Pitt! The truth appears to be, that the professions of attachment to the Catholic cause, made in the speeches and circulated papers above spoken of, were intended for the purpose of *preserving influence amongst the Catholics*, in which influence *nobody else was to have a share*. The purpose was answered for a while. The influence was preserved. In the end, however, such contrivances seldom fail to produce, as in the present instance, embarrassment and confusion to the contrivers.

PROCEEDINGS AGAINST LORD MELVILLE.

— The Lords have given permission to Lord Melville to appear before the Select Committee of the House of Commons; but, on the 16th instant, Mr. Leycester, the chairman of the committee, reported to the House, that upon a full consideration of the restrictions and limitations contained in the minutes of conference, it did not appear to them that they could proceed satisfactorily for the purposes for which they were constituted in the examination of Lord Melville, without trenching on the regulations under which he was permitted to appear before them. It is thought, however, that the committee will soon make their report.—

In the mean time, the unprincipled partisans of Lord Melville are still insisting, that the public have *lost nothing* by his malversation. Any thing so impudent as this never, surely, was heard of before! It has been *proved*; clearly proved, upon principles universally admitted, and expressly laid down and acted upon by Mr. Pitt himself, that the public has *lost* to a very great amount, in consequence of those malversations; and yet, there are persons, so totally dead to all sense of shame, as still to assert, that the public has, from this cause, experienced *no loss*. Such persons know well that their insincerity is evident to all men of information; but, this they disregard; they care not how much they are despised, so that they succeed in deceiving any portion of the people; so that they succeed in furnishing *a pretext for doubt*, and, thereby, assuage, though in ever so small a degree, the public indignation. This zeal in the cause of Lord Melville might be, in some sort, excused, if we could possibly impute it to any amiable motive; but, when we con-

sider who are the persons that hold this language, we cannot help fearing, that, for every word they speak for his lordship, they speak two words for themselves.—In p. 719 the reader will find a letter from one of my correspondents, relative to the *places* of Lord Melville, to which letter I beg leave to refer him.—The base attempts to throw *all the blame upon Mr. Trotter* will, it is rumoured, be entirely frustrated. In the libel, written by the venomous upstart, who has so much to do, apparently, in conducting the Oracle newspaper, this insinuation was thrown out. Lord Melville was represented as owing his fall partly to the *treachery* of Mr. Trotter. That gentleman was not named, indeed; but, the insinuation was too broad to be misunderstood; and, that it was excessively base, every one must allow; for, the greatest of Mr. Trotter's faults, and the chief ground of the public resentment against him, is, that he has gone every length to screen his guilty superior.

MR. PITTS CASE (continued from p. 704.) The manifest impropriety of pretending to publish an account of what has passed in the Select Committee was noticed, at the time when the following very curious and important paragraph was copied from a ministerial paper of the 9th instant: “Mr. Pitt and Mr. ‘Long have been twice examined before ‘the Select Committee of the House of ‘Commons, upon the subject of some tem- ‘porary assistance afforded to the house of ‘BOYD and BENFIELD, to enable them to ‘make good an instalment of the Imperial ‘Loan; a measure deemed necessary for ‘the maintenance of the honour and credit ‘of the country.”—Who Boyd and Benfield were the reader may, probably, recollect: but, lest he should not, I have endeavoured, by my motto, to intice him into a history of Benfield's financial and political rise, which he will find given, in a most circumstantial and satisfactory manner, in Mr. Burke's speech upon the subject of the Nabob of Arcot's Debts, which speech every man in the kingdom should now read.

— But, is it possible, that this ministerial paper can have spoken the truth? Has such a fact come out before the Select Committee? Or, is it probable, that it may come out, and is this statement thrown out, at first in the form of a rumour, in order to break the blow? or, is an act so flagrantly corrupt thus mentioned with a view of preparing the public mind to be reconciled to some act of corruption not quite so flagrant? The last appears to be the most probable, especially when we consider how well such a device is calculated

to enable the leading Saints to ascertain the precise length, to which they may venture to stretch their consciences, without any very great risk of being exposed to the scoffs of the wicked. Stretch them, however, as much as they please, they would never be able to save the man, who should be found guilty of a crime any thing nearly approaching that, which, by the Morning Post, in the above-quoted paragraph, is said to have been committed, and the patient endurance of which would mark us out for animals fit to be shut up in pens and fed in troughs. What! take money out of our pockets in taxes, and lend it to Boyd and Benfield, that they may be able to lend it to us; and all this to *save the nation!* to maintain *the honour and credit of the country!* Was the meaning of words ever before so impudently perverted? Was there ever so gross an insult offered to the understanding of a nation?—In the ministerial paper, the *SUN*, of the 8th instant, there appeared a paragraph, apparently intended to prepare the public for a favourable construction of what is likely to come out, relative to another subject connected with the malversations of Lord Melville, which paragraph was as follows: “It has been pretended, in the violence of party, that Mr. Pitt connived at Lord Melville's misconduct, and that he knew private advantage was derived from public money. This charge is *positively false*; but it is said, that it is attempted to be supported, upon the evidence of a person who was formerly governor of the Bank. We warn ministers in future, *never to listen to that which does not relate to the business immediately before them*; to beware how they hold confidential intercourse with those who come to them upon public business. Ten years after, *a slight conversation*, which passed, probably, at a time when the minister's mind was occupied with other pressing and important matter, it is thought just, it is thought no breach of the rules of social intercourse, to bring up such a conversation in evidence against him, as if it had been a *formal representation*, and for the purpose of injuring his reputation! I will not characterize such a conduct; he who holds it will, I trust, find it justly estimated in his future intercourse with mankind.—There are other points upon which much misrepresentation has gone forth. Every irregularity, though it had for its object *the public service*, is now branded as corrupt. If the conduct of public men is to be tried by such rules, what man will ever

“step out of the trodden path of form and necessary duty *to render the most essential service to his country?*” These people always assume; always argue upon assumption; always take for premises admitted, the facts and principles which their adversaries deny. We deny, generally, that “service to the country” can be rendered by irregularity, and breach of the law; and we deny, particularly, that “service to the country” has been rendered by any of the acts of which Lord Melville and his associates have been found guilty, or accused.—But this is not the point at which the paragraph chiefly aims. Its evident object is to prepare us for the hearing of some proof, *that Mr. Pitt was, many years ago, apprised, by a Bank-Director, of the practices of Lord Melville and Mr. Trotter*. If this were true, there would need no more; and, so powerfully am I impressed with the effect which such a fact must produce, if communicated to the public from an authentic source; so clear does it appear to me, that such a fact would establish a crime rather greater than that which drove Lord Melville from the Admiralty and the Privy Council; so steadfast am I in this view of the matter, that, in my preceding number, I did not notice the above-quoted paragraph, expecting, day after day, to see it contradicted.—Contradicted, however, it has not been; and, therefore, I have thought it right to point it out to the attention of my readers.—I had nearly forgotten to observe, that, in the present sheet, p. 720, will be found a letter, in which is very clearly and concisely described the grounds of the connection between PAUL BENFIELD and the ministry. Every thing appertaining to that connection must be regarded as interesting at this time.—As somewhat belonging to subjects of finance, I will here notice a circumstance which I am astonished to have seen pass so long unobserved upon. The Receiver General of the Customs does, I believe, pays, by direction, his daily receipts, daily into the Banking Shop of SMITH, PAYNE, and SMITH, who make up their account with him *each Saturday only*, and who are not required to pay the amount into the Bank of England, till the subsequent Tuesday. When this practice first began, Lord CARRINGTON was, I believe, at the head of the above-named banking shop, in which two of the noble lord's brother's still remain. There are, doubtless, very substantial reasons for having adopted, and for still pursuing, this mode of conveying the Custom-House receipts to the Bank; but, one would like to hear those reasons.

FRENCH AND SPANISH FLEETS.—At

the beginning of this war, few people expected, that we should so soon be all in uncertainty and alarm about the “combined” fleets of France and Spain; that all our ports would so soon have been thrown into confusion, in order to hasten out ships to enable our admirals to meet the enemy; that the English fleet would have been compelled to sneak away from the blockade of Cadiz at the sight of an approaching French fleet: few people expected to see these things, even though the Addingtons had continued alone in the management of affairs, and still fewer expected to see them come to pass under the rule of “the PILOT;” Mr. Canning’s “Pilot;” the great-minded, the vigorous, the warlike minister! To the vigour of the pilot and the wisdom of a couple of his “young friends,” we are indebted for the war with Spain, and, of course, for the junction of the French and Spanish fleets, together with all the consequences of that junction. The FRERES having dispatched the diplomatic part of the business, their brother-in-law, SIR JOHN ORDE, was selected to carry on the war!—The papers tell us, that “the gentlemen concerned in the West-India trade” have waited upon Mr Pitt to inquire into the state of the defence of those possessions. This puts one in mind of the silly fellow remonstrating with his wooden god. These “gentlemen” have been crawling at the heels of Mr. Pitt these 20 years. Let them take the consequences. Could I be certain that the cause of their alarm would produce no injury to the kingdom, I should laugh to see them wring their hands, tear their hair, and cry like old Shylock at the loss of his dear ducats.

PUBLIC PAPERS.

ENGLAND AND PORTUGAL.—*Note of the Portuguese Minister to the English Minister at that Court (Lord Robert Fitzgerald,) in answer to the Note of the latter (See p. 259) relative to the Publication, in the Lisbon Gazette, of the Declaration of the Prince of Peace.*—Date, Lisbon, 14 Feb. 1805.

SIR.—I received the note which you addressed to me, of date January 25, in regard to an article in the Supplement to the Lisbon Gazette, containing a faithful translation of a paragraph taken from the Madrid Gazette of Dec. 20 last. After having had the honour, Sir, to explain to you verbally the reasons which authorised the insertion of that article, I hoped that you would be fully convinced that no solid reason could be adduced for requiring the suppression of it. I am certain that the said article was translated into all the gazettes of Europe; and I am

persuaded that none of the ministers of England have demanded from the governments where they reside a similar exclusion of that official paper. If pieces of this kind were to be omitted in political gazettes, what matter could be found to fill them?—I must also inform you, Sir, in order to free you from the doubt you have testified on this subject, that the insertion of the said official article in the Portuguese Gazette was with the knowledge of the government, because it did not think that it exposed itself by causing to be transcribed any official papers, published in other European gazettes, and under the head of Foreign Countries. Similar articles, faithfully copied, and unaccompanied by reflections, have never proved either the approbation or disapprobation on the part of the government which permits them to be printed.—I confess, Sir, that I cannot see how it can give the least offence. The same article, at a period somewhat later, might have been copied by the English gazettes, in which no doubt it has been published. Besides, you know, Sir, that after discussions on a similar subject, which took place before my ministry, His Royal Highness the Prince Regent caused to be notified to you, that the official publications of the English government would also be translated into the Lisbon Gazette.—I embrace this opportunity of renewing to you professions of the consideration with which I am, &c.

PRUSSIA AND SWEDEN.—*Note delivered by the Swedish Charge-d’Affaires at Berlin to the Prussian Cabinet relative to a Note of Baron Hardenberg, of the 24th Dec. 1804.*—The date of THIS Note is not stated; but it has just made its appearance here in England, from the Hamburg Papers.

The undersigned Charge-d’Affaires from the King of Sweden, has just received instructions from his Court, relative to Baron Hardenberg’s note, of the 24th December, 1804. By the express command of his Majesty, the undersigned returns the following answer. His Excellency the Minister of the Cabinet will be pleased to recollect, that immediately on receipt of the said note, the King declared that, the affair being of a nature of equal concern to Sweden and to Russia, both closely united by treaties, by mutual friendship, and by the ties of consanguinity, his Majesty had resolved to consult with the Emperor of Russia on the overture made to him, and to give his answer at the same time with that which his Imperial Majesty might think proper to transmit to Berlin. The last accounts from St. Petersburg have fully ju-

tified the conviction which the King entertained relative to the sentiments of the Emperor of Russia on this subject; and as his Imperial Majesty soon after resolved to take some steps, the King would no longer delay an answer, such as the Emperor of Russia has also found adapted to the present case. True to the principles of that dignity which ought to characterize every sovereign of an independent state, the King cannot permit his general political system, the system of his alliances, and the engagements which perhaps may spring from it, ever to become the object of a discussion. His Prussian Majesty has himself declared, that it is his principle to regard this indisputable right of every sovereign; he cannot therefore but acknowledge it in its application. If then he will consider, that no measure of the King ever furnished the slightest ground for suspecting its being directed against the particular interest of Prussia, the right of demanding further explanations on those measures (the nature of which sufficiently indicated their object), is consequently not afforded. The King cannot as yet persuade himself that his Prussian Majesty will persist in his intention to modify the general polity of Sweden, by the influence of his system of neutrality, which influence would be the more inadmissible, since the said system (on which the King does not permit himself to judge, with respect to the states of his Prussian Majesty, and the neighbouring states which have formally recognized it) cannot possibly extend its effects so far as to confine the general dispositions of a Sovereign, who (as such) does not recognise any person's supremacy, and, as a member of the Germanic Empire, only that of the Emperor of the Romans. The King, therefore, has no other explanations to give than these, that he will invariably prove true to his principles, the justice and dignity of which must constantly be the best guarantees of his intentions. His Majesty readily believes that the King of Prussia will acknowledge the justice of the preceding remarks; and that he will not avail himself of some erroneous and exaggerated assertions to attempt an unjust conquest. Of this the King must be doubly convinced, on considering that those assertions (even by the avowal of the Cabinet of Berlin itself), are made by a government, the hostile sentiments of which, towards his Majesty's person, are known to all Europe. Should it, nevertheless, be possible, in spite of the King's conviction, in this respect, that an actual attack be made on Pomerania, his Majesty declares, that he will not be wanting in allies, who will too clearly see the justice of

his cause not to support it. This declaration, nevertheless, is not in any sense to be considered as a challenge, as it presupposes the case of an attack; and the King would the less omit making this remark, as he would with pleasure see the interest of both states united for the general welfare, and the connexions between himself and his Prussian Majesty maintained for ever by reciprocal confidence and friendship.

(Signed) VON BRINKMANN.

LORD HARROWBY TO LORD GOWER.—

The following Letter is translated from the French Official Paper, the Moniteur, of the 20th of March, 1805, prefaced by the following remark: “The absurdity of “a Treaty of Subsidy between Sweden “and England is such, that the King of “Sweden himself appears to disavow it. “The following is a Letter from Lord “Harrowby to Lord Gower, written on “the 5th of Nov. 1804, which affords elu-“cidations on this and other points, that “will be read with interest.” This Let-“ter has not been publicly avowed by Lord Harrowby; but, it has not been publicly disavowed; though it has now been pub-“lished in the London papers more than six weeks.

I am glad to hear you have got so far in so short a time. The concluding part of your letter gave no hopes of great success; but the news from Copenhagen (received the 13th) relative to the arrival of the Amethyst, proved that our fears were groundless. I hope you will prevail on Russia, if not to fire great guns, at least to publish thundering manifestoes about the seizure of the Chevalier Rumbold. Sweden has sent the account of the expense of 25,000 men, amounting to about forty-eight millions of *livres tournois*; and I conclude from it, that the Swedish ministers have made this account on purpose to have it rejected. We know nothing yet of the first negotiation.—M. Frere has been very ill. On the 28th of September he sent a note to Cevallos, to complain of the armaments at Ferrol. The only answer he received was, that those armaments were not destined against Great Britain.—Parliament is adjourned to the 3d of January. The King is returned, perfectly well in every respect. The dispatch of this day is particularly calculated for the Court of Berlin, because it has hitherto shewn very little inclination to enter into those views. But even Vienna requires much spurring on; it appears from the reports of Sir Arthur Paget, that affairs have not been more forwarded by the negotiation of Rasumowsky. As long as

they will complain on the one part, and not make any plain proposals on the other, it will be impossible to get forward. The envoys from England and Russia, at Vienna, must be able to say, at the same time, make a defensive alliance with us, in case the consequences of the treaty cause a war with France; see here the number of Russian troops which you may calculate upon; here you have the plan of the campaign; there, what we propose, if successful, and here the subsidies which England will give. If no overtures can be made sufficiently explicit and positive to obtain a clear answer, it cannot be hoped that Austria will be obliged to declare herself. Another year will elapse with proposals on the one part, and rejections on the other; so that resistance, always supposed fruitless, will at last become so indeed. Although we dare not press Russia to proceed immediately to active measures; yet if, contrary to our expectation, she should be inclined to proceed, you will take care not to oppose it, especially if Prussia should be inclined to take a part with her. All our friends are well. I am going to Bath for a fortnight, &c.

BLOCKADE OF CADIZ.—*Downing Street, April 25, 1805.* The King has been pleased to cause it to be signified by the Right Hon. Lord Mulgrave, his Majesty's Principal Secretary of State for Foreign Affairs, to the ministers of neutral powers, residing at this Court, that the necessary measures have been taken, by his Majesty's command, for the blockade of the Ports of Cadiz and St. Lucar; and that from this time all the measures authorised by the Laws of Nations, and the respective treaties between his Majesty and the different neutral powers, will be adopted and executed with respect to all vessels which may attempt to violate the said blockade.

FOREIGN OFFICIAL PAPERS.

NAPOLEON, KING OF ITALY.—The following is an Account of the Proceedings relative to the Assumption of the Crown of Italy by Napoleon, Emperor of the French.

PARIS, 18 MARCH, 1805.

Yesterday at one, his Majesty, being seated on his throne, surrounded by the grand dignitaries, the ministers, and great officers, and the members of the council of state, the grand master of the ceremonies, introduced M. Melzi, vice-president of the Italian Republic, attended by M. Mareschalchi, ambassador of that republic, and the representatives of its principal public bodies—M. Melzi

addressed the Emperor in the following terms:

SIRE,—You have ordered me to assemble together the consulta of state, and the deputation of the Italian republic, and to invite them to take into consideration the object most important for their present and future destinies, the form of their government. I have the honour, Sire, to present to you, in the result of their labours, the wish they have formed. The first consideration that struck the minds of the assembly produced a conviction, that it was impossible to preserve longer the present form without the peril of remaining far behind the rapid course of events that characterises the epoch in which we live. The constitution of Lyons had all the characteristics of being provisional. It was but the effect of circumstances, a system constitutionally too weak to answer the views of durability and preservation. The urgent necessity of changing it, is demonstrated to reflection as it is generally felt. In setting out from this point, every thing was simple. The system of a constitutional monarchy was pointed out to us by the progress of enlightened reason, and by the conclusive results of experience, and the Monarch was pointed out by all the sentiments of gratitude, love, and confidence. Sire, in a country that you have conquered, reconquered, created, organized, and governed hitherto; in a country where every thing recalls your exploits, attests your genius, and breathes forth your benefits, but one wish could be formed, and that wish has been expressed. The assembly has not neglected to weigh with strict attention the ulterior views to which your profound wisdom had directed. But though these views were universally important and perfectly concordant with our dearest interests, it was not difficult to convince ourselves that things were not yet sufficiently mature for the attainment of this last degree of political independence. It is consonant to the natural order of things, that the Italian republic should feel during some further time of the condition of all states newly formed. The smallest cloud that appears on the horizon must necessarily create solicitude and excite alarm, and in this situation where could be found a better pledge of our tranquillity and happiness, a more solemn guarantee of the consolidation and existence of our state? Sire, you are still a condition of necessity to it. It belongs only to the counsels of your high wisdom to fix the term of it, to disarm all foreign jealousy. It belongs only to the most generous moderation to consent to find that time exactly in the moment of our dangers.—The assembly penetrated with all



the proofs of your kindness which have marked the preceding communications, has given way to that full confidence which was due to you; and its last wish, and its last prayer, demand of you constitutions in which the principles you have already proclaimed shall be consecrated, principles, which eternal reason calls out for, and without which the fate of nations would be abandoned to the passions of men. Deign, Sire, to accept, deign to perfect the wish of the assembly over which I have the honour to preside. The interpreter of all the sentiments which animate the hearts of the Italian citizens, it brings to you in this wish the most sincere homage. It will report to them with joy, that in accepting it you have doubled the force of the ties which bind you to the preservation, the defence, and the prosperity of the Italian nation. Yes, Sire, you wished that the Italian republic should exist, and it has existed. Wish that the Italian monarchy should be happy, and it will be so.

M. Melzi then read the following instrument: The consulta of state, the vice president in the chair, and the deputies of the colleges, and the constituted bodies of the Italian republic, considering the situation of Europe, and that of their country, are unanimously of opinion:

1. That the moment is arrived for placing the finishing hand on the institutions, the basis of which has been laid at Lyons, and for this purpose declaring the government of the Italian republic hereditarily monarchial, according to the principles of the constitution, of the government of the French empire.—
2. That the Emperor Napoleon, founder of the Italian republic, be declared King of Italy.—
3. That the throne of Italy be hereditary from male to male, in the direct and legitimate line natural and adoptive, to the perpetual exclusion of females, and their issue, with the limit of the right of adoption, not being permitted to extend to any other person than a citizen of the French empire, or of the kingdom of Italy.—
4. That the crown of Italy shall not be united to the crown of France, except on his head; that this union be forbidden to all, and each of his successors: and that no one of them be allowed to reign in Italy, unless he resides on the territory of the Italian Republic.—
5. That the Emperor Napoleon shall have the right to give himself, during his life, a successor among his legitimate male children, whether begotten or adopted, but that he cannot make use of this right without compromising the security, the integrity, and the independence of a state, the existence of which is one of his most brilliant titles to

glory, as long as the French troops occupy the kingdom of Naples, as long as the Russian armies keep possession of Corfu, as the British forces hold Malta, and the Peninsula of Italy is threatened with becoming at every instant the field of battle of the greatest powers of Europe.—

6. That the separation of the crowns of France and Italy will be incompatible with the surety of the state, only when these circumstances shall have ceased.

7. That the point most important for nations, for the nature and stability of the supreme power being regulated, the Emperor Napoleon be requested to repair to Milan to take the crown; and after hearing the consulta of state and the extraordinary deputations of the colleges to give to the kingdom a definitive constitution, which shall guarantee to the people its religion, the integrity of its territory, the equality of its rights, political and civil liberty, and the irrevocability of the sales of national property; to the law alone the power of imposing taxes; and to the natives the exclusive powers of being called to the employments of state; principles which the Emperor Napoleon has consecrated by the laws he has already given to Italy, the proclamation which was the first cry that resounded from the summit of the Alps, when he twice descended from them to conquer and free our country.—

8. That finally Europe will remain persuaded, that all the parts of the kingdom of Italy are consolidated for ever, and that no one part can be separated from the rest without threatening the very principle on which the whole has been founded.—

Paris, 15th March, 1805, year 4.—(Signed) MELZI, MANSCHALCHI, CAPRARA, &c.

His Majesty replied in the following terms:

From the moment of our first appearance in your country, we have entertained the desire of establishing the Italian nation free and independent; we have prosecuted this object in the midst of the uncertainty of events. In the first instance, we formed the inhabitants of the right bank of the Po into the Cispadane, and those of the left bank into the Transpadane republic. More fortunate circumstances have since enabled us to unite those states, and to form of them the Cispadane republic. In the midst of the manifold objects which then engaged our attention, our people of Italy were affected by the interest which we felt in every thing that could secure their prosperity and happiness; and, when, a few years after, we learned on the banks of the Nile, that our work was overturned, we became sensible to the misfortunes to which you were a prey. Thanks to

the invincible bravery of our armies, we made an appearance in Milan when our people of Italy supposed us still on the shores of the Red Sea. Our first wish, whilst yet covered with the dust and blood of battles, was the reorganization of the Italian nation.

—The statutes of Lyons committed the sovereignty to the consulta and the colleges, in which we had concentrated the different elements which constitute nations. You then believed it for your interest that we should be at the head of your government; and still persevering in the same opinion, you now will that we should be the first of your kings. The separation of the crowns of France and Italy, which might be advantageous to insure the independence of your posterity, would at the present moment be fatal to your existence and tranquillity. I shall keep this crown; but only so long as your interests shall require; and I shall with pleasure see the moment arrive, when I can place it on the head of a younger person, who animated by my spirit, may continue my work, and be on all occasions ready to sacrifice his person and interests to the security and the happiness of the people over whom Providence, the constitutions of the kingdom, and my wish, shall have called him to reign.

After this audience Marshal Brune was presented to the Emperor: he took the oath as grand officer of the legion of honour, and received from the hands of his Majesty, the grand ribband of the legion of honour, and the staff of a marshal of the empire.—General Bacciochi, senator, and General Victor, envoy extraordinary and minister plenipotentiary to Denmark, were introduced, and received from his Majesty the grand ribband of the legion of honour.—The Emperor having descended from his throne, withdrew to his cabinet, whither he summoned the vice-president, and the members of the Italian consulta, and held a council, which lasted an hour and a half.—The Emperor at two o'clock proceeded from the Thuilleries to the senate, to communicate the deliberation of the state consulta of the Italian republic, which calls him to the throne of Italy. The procession was the same as at the consecration: the weather was bright, the crowd immense, and the acclamations of joy universal.

Programme of the Order of the Emperor's Procession to the Senate, and of the Arrangements round the Throne.

On Monday, March 18, the imperial guard will occupy, at 11 in the morning, all the posts of the senate's palace, under the

command of Grand Marshal General Duroe, to whom the police of that palace is entrusted. At twelve a discharge of artillery; at one the senate will assemble in their hall in robes of state; at two his Majesty will set out from the Thuilleries; a discharge of artillery will announce his departure. The procession will be led by the horse chasseurs of the guard, and closed by the horse grenadiers and gendarmerie-d'élite. The procession will pass between a line of troops through the Caroussel, the Quai de Louvre, the Pont Neuf, the Rue de Thionville, the Rue de Fosse St. Germain, the Rue de Quatre-Vents, and the Rue de Tournan. (Then follows the order of the Emperor's attendants and officers.) A discharge of artillery will announce the Emperor's arrival at the senate. The president, the grand officers of the senate, and twenty-four senators, will advance to the outer door of the palace, to receive his Majesty. The Emperor, first reposing himself in the apartments prepared for his reception, will proceed to the hall of sitting. The procession, preceded by a deputation of the senate, will then advance, according to a detailed order; on the arrival of the procession, all the senators will rise and uncover. His Majesty's ushers will station themselves at the door; two heralds on each side; the vice-president of the Italian republic on a chair, and the members of the consulta, and of the Italian deputation on the first row of the senator's seats. On the right and left of the throne, but one step lower, the princes of the imperial family, and the princes grand dignitaries of the empire. On the benches below them on the right, the ministers, on the left the grand military officers. At the foot of the throne, on the right, the grand chamberlain on a stool (tabouret), on the left, the grand squire, and grand master of the ceremonies. Behind the Emperor will be the colonels, general of the guard, the grand marshal, grand falconer, chamberlains, aides-de-camp, pages, the master of the ceremonies, and his assistants. As soon as the Emperor shall be seated, the whole assembly shall be covered. The grand master of the ceremonies will take his Majesty's orders. When the Emperor speaks, the whole shall be uncovered. When the Emperor shall conclude the sitting, the procession shall proceed in the same order in which it arrived, and a discharge of artillery will announce his departure from the senate, and his arrival at the palace of the Thuilleries.

PARIS, 19 MARCH, 1805.

The procession took place yesterday conformably to the programme, and passed

through an immense concourse of citizens assembled on the occasion. His Majesty was received at the outer gate of the palace of the senate, by the grand officers of that body, and twenty-four members, who preceded him to the new hall, where the arrangements were extremely beautiful, and presented a splendid *coup d'œil*. His Majesty seated himself on his throne, surrounded by the princes, his ministers, his grand officers, and the officers of his household. The grand master of the ceremonies, pursuant to the order of the Emperor, summoned M. Semonville, and General Ferino, lately appointed senators, who had been presented by his Imperial Highness the Grand Elector Prince Joseph, to take the oath, which was administered to them by the Emperor. The grand master of the ceremonies next conveyed the orders of his Majesty to M. Maret, minister secretary of state, who read the following message and decree:—

SENATORS—The Principality of Piombino, which France has for many years possessed, has been during that time administered without order of any superintending power.— Lying in the midst of Tuscany, and separated as it is from our other possessions, we have thought it right to establish in it a particular regime. Piombino is interesting to us, by the facility which it presents for communicating with the Isle of Elba and Corsica: we have, therefore, thought it our duty to bestow this country, subject to the paramount sovereignty of France, on our sister the Princess Eliza, conferring, at the same time, on her spouse the title of Prince of the Empire.— This grant is not the effect of private tenderness, but an act conformable to sound policy, to the splendour of our crown, and to the interest of our people.

(Signed) NAPOLEON.
Secretary of State, MARET.

Then follows the imperial decree for that purpose, in which the succession is declared hereditary in the descendants of the Princess, but under the control of France; and none of those descendants can marry without the consent of the Emperor of France. The husband of the Princess Eliza is to be styled Prince Piombino, and to rank with a Prince of the French Empire. He is to swear obedience and fidelity to the Emperor of France, and that he will do every thing in his power to succour the French garrison of the Isle of Elba.

Report made to his Majesty the Emperor, in the Sitting of the Senate, by M. Talleyrand, Minister for Foreign Affairs:—

SIRE—The ideas which I wish to submit

to your Majesty, relate to your Majesty's dearest affections, as well as to the most important interests of the Empire; and at the same time the object of these ideas is connected most intimately with the great principles of foreign politics, with the safety of a great number of states, which cannot exist without your support, and, in short, with the tranquillity of all the powers on the Continent.— For several months the eyes of all Europe have been fixed upon Italy. Great recollections, a continued series of misfortunes, and the immense glory which your Majesty has acquired there, attach all minds to its destiny. They ask themselves, if the lot of this great country, which so long ruled the world, and which since the time that it has declined from its ancient grandeur, from age to age, has become the scene and the instrument of general ambition, should at length be decided. From every part we hear the generous wish expressed, that Italy should derive, from the honour of having decided the fate of the last war, the unexpected advantage to exist by herself; to conduct herself by the maxims of an independent system of politics; in fact, to remain for ever a stranger to the quarrels, the misunderstandings, and the jealousy of the great powers. Sire, under a reign like yours, all those conjectures which are united to just and great things, are only the presages and forerunners of the great designs of the sovereign. Italy, its interests and its wants, have always been the objects of your care, and it may be confidently announced, that the lot which you destine to her, will answer all the hopes that she could form, when, at the conclusion of your glorious victories, she, the first among all the nations, proclaimed her admiration and her gratitude, and expressed her wishes to you to attach herself for ever to your great destiny.— It was in consequence of this wish, so often repeated, that twenty nations united, eager to consolidate their liberty, and to sanctify their obedience, by the solemnity of a public act, received at Lyons a common organization, and conferred on your Majesty the office of first magistrate. This institution, undefined in its denomination, and unlimited as to its duration, only served to unite the interests and the affections, and to allay the uneasiness of the moment. But if the organization of France had permitted to those people to open themselves without reserve, with respect to the government which they preferred, then they would have expressed to your Majesty all that which, since the foundation of the empire, the Italian army, the constituted au-

thorities, and numerous assemblages of intelligent and enlightened citizens, have unanimously explained in their addresses—that even if the hereditary system had not been established in France, the numbers, the diversity, the jealousy, the weakness, the habits, and the opinions of the people who inhabit Italy, would there render its establishment indispensable.—If from these considerations we proceed to those which are offered by foreign politics, the danger becomes more pressing. A French army occupies the state of Naples, where it has nothing to do: it remains there to observe an English army which occupies Malta, and a Russian army, which is, perhaps, only kept up in the Ionian isles to observe the French army. In this confused expectation of events; in this complication of uncertain relations, when a false step, from whatever side it comes, may bring on us the greatest calamities, may cover our country with blood and mourning, and render us the victims of war, and what is still more dreadful, render us, perhaps, the victims of peace, what can we do but attach ourselves, while the danger exists, to our sole protector, our only hope, our only defender; and to bind him, if possible, by his generous inclination, to the work of his genius and his bounty.—Sire, such are the wishes of the people of Italy; they are so pressing, so decisive, and so lawful, that you must hear them.—Your Majesty shall thus reign in Italy; and for some time to come, the empire and the kingdom, which you have established, united by the same affections, bound by the same oaths, will exalt and consolidate themselves under the shelter of the same power.—And when the time comes that this union shall no longer be requisite for Italy, shall not be interesting for France, and shall no longer involve the tranquillity of Europe, it shall be dissolved. Your Majesty has irrevocably fixed the term of it; upon this point you have resisted the most lively solicitations; you wished to leave no doubt, no illusion, and no expectation to your Italian subjects; you wisely thought that when such great interests were at stake, and upon so solemn an occasion, it behoved you, above all, to make a worthy and free use of your power.—Every thing is not uncertain in futurity; strong minds and exalted understandings, can take into their view every thing which is within the reach of their prudence, and which belongs to the great arbiter of events. Your Majesty foresees with certainty the future event of the freedom of Malta, and the lawful independence of the Ionian republic. You do not wish to put a

price on the separation of the crowns of Italy and France; and it is upon that account that you have determined the period of it, in order that you may not one day expose yourself to the offensive alternative of the separation of the crown or of war; for then the respect due to your dignity would place you under the necessity of making the cry of honour lift itself even above the wish of humanity.”—Like these great men, we have seen your Majesty carry with rapidity your arms into Europe and Asia. Your activity, like theirs, could comprehend, in a short period of time, the greatest extent, and bound over the greatest space. But in your most glorious expeditions, and in your boldest enterprises, were you ever hurried away by a wild and indefinite desire of conquering and invading? No, without doubt, and history has already inscribed in its annals, that from the commencement of your glorious career, your Majesty wished to bring back France to ideas of order, and Europe to sentiments of peace. You saw with horror a war which menaced the establishment of barbarism, and with **fear** revolution, which would cover France with mourning and destruction; and you believed that Providence had raised you up to put an end to these two great calamities. In Italy you conquered to reconcile Germany to France: you then went to conquer in Asia, to wait for that period when you could come back triumphant from thence, and at your return reconcile France to herself. Such was the glorious ambition of your Majesty.

M. de Mareschalchi, the minister of foreign affairs of the Italian republic, then mounted the tribune, and read the constitutional statute in the following words:

“ NAPOLEON, BY THE GRACE OF GOD AND THE CONSTITUTION, KING OF ITALY, TO ALL THOSE TO WHOM THESE SHALL COME GREETING.”—Extract from the register of the council of state, of March 17, 1805.

THE CONSTITUTIONAL STATUTE.

Having read the 60th article of the constitution, respecting the constitutional initiation, decrees:

Napoleon, by the Grace of God and the Constitutions, Emperor of the French, and King of Italy, to all those whom these presents may concern, greeting—

CONSTITUTIONAL STATUTE,

MARCH 17.

The Consulta of State, in consideration of the unanimous opinion of the Consulta, and of the deputation assembled on the 15th; in consideration of the sixtieth article of the

constitution, in the constitutional proposition, decrees,— 1. The Emperor of the French, Napoleon First, is King of Italy. — 2. The crown of Italy is hereditary in his direct and lawful descendant, whether natural or adopted, from male to male, and to the utter exclusion of females and their descendants; without, however, his right of adoption extending to any other person than a citizen of the French Empire, or of the kingdom of Italy.— 3. Whenever the foreign troops shall evacuate the kingdom of Naples, the Ionian isles, and island of Malta, the Emperor Napoleon shall then deliver over the hereditary kingdom of Italy to one of his lawful male children, whether natural or adopted.— 4. From this epoch the crown of Italy shall never after be united to the crown of France, and the same head, and the successors of Napoleon I. in the kingdom of Italy, shall constantly reside in the territories of the Italian republic.— 5. In the course of the present year the Emperor Napoleon, by the advice of the Consulta of State, and of the deputations of the Electoral Colleges, shall give to the Italian monarchy a constitution, founded on the same base with that of France, and on the same principals with those laws which he has already given to Italy. (Signed) NAPOLEON.

MELZI, MARESCHALCHI, CAPRARA,
PARADIRI, FENARDI, COSTABILI, LUOSI,
GUCCARDI.

The different authorities of the Italian monarchy having taken the oath of fidelity to the king, his Majesty addressed them in these words :

SENATORS—We wished on this occasion to come amongst you, for the purpose of acquainting you with what our thoughts are upon one of the most important objects of the state.—The strength and power of the French Empire, are exceeded by the moderation which regulates our political concerns. We have conquered Holland, three-fourths of Germany, Switzerland, and the whole of Italy. We have been moderate in the midst of the greatest prosperity. Out of so many provinces, we have only preserved those which were necessary to keep us at the same point of consideration in which France always was. The division of Poland, provinces torn from Turkey, the conquest of India, and almost all the colonies, had broken the general balance, to our detriment.— All that we have judged unnecessary for the re-establishment of this balance, we have restored; and in doing so, we have acted conformably to that principle by which we have been always guided, never to take arms

for the accomplishment of vain projects of greatness, nor from the desire of conquest.

—Germany was evacuated. Its provinces were restored to the descendants of so many illustrious houses, which were lost for ever if we had not afforded them our general protection. We have raised them up and confirmed them, and the princes of Germany are at this day in a more splended situation than their ancestors were.—Austria herself, after two unsuccessful wars, has acquired the state of Venice. At all times she would willingly have exchanged the provinces which she has lost, for the Venetian territory.—Holland was scarcely conquered, when she was declared independant. Her union with our Empire would have completed our commercial system, since the greatest rivers of one-half of our territory meet the sea through Holland. Still, Holland is independent; and its customs, its commerce, and its administration, are directed by the will of its government.—

Switzerland was occupied by our armies. We defended it against the combined force of Europe. Its union would have completed our military frontier. Still Switzerland governs itself by the act of mediation, and by the inclination of 19 free and independent Cantons.—The union of the territory of the Italian republic with the French Empire, would have been advantageous for the advancement of our agriculture. Nevertheless, after the second conquest, we confirmed its independence at Lyons. We do more this day. We proclaim the principle of the separation of the crowns of France and Italy, assigning for the period of that separation,

the moment when it shall become possible, without danger to our people of Italy.—

We have accepted, and we will place on our head the iron crown of the ancient Lombards, for the purpose of new tempering it, to consolidate it, that it may not be broken in the midst of the tempests which menace it, so long as the Mediterranean shall not be restored to its pristine state.—But we do not hesitate to declare, that we will transmit this crown to one of our lawful children, natural or adopted, the day when we shall be without alarm for that independence which we have guaranteed to the other states of the Mediterranean.—

The genius of evil will seek in vain for pretexts to plunge the Continent into war. That which has been united to our empire by the constitutional laws of the state, shall remain so. No new province shall be incorporated with it; but the laws of the Batavian republic, the act of mediation of the nineteen Swiss Cantons, and the first statute of the kingdom of Italy, are con-

stantly under the protection of our crown, and we shall never suffer them to be attacked.—In all circumstances, and in all transactions, we will display the same moderation; and we hope, that our people will no longer have occasion to manifest that courage and energy which they have always shewn in defending their lawful rights.

NEW CONSTITUTION OF HOLLAND.—*The following is a Sketch of the plan of the New Constitution of Holland, and an account of the successive proceedings relative to the adoption of the said plan.*

HAGUE, 15 MARCH, 1805.

This day the Legislative Body received, from the State Directory, a Note containing the following propositions: 1. That the plan of the Batavian constitution (inserted in that note, and of which an abstract is given below) shall be proposed to the Batavian people for their approbation or rejection: and, 2. That it be proposed to the Batavian people, at the same time, to appoint, in the event of their adopting this constitution, Rutger Jan Schimmelpenninck, First Pensionary of the Council, with such powers as are more fully stated in the said proposal: and, 3. That both the above shall be proposed to the Batavian people, in conformity to the prescriptions published Sept. 14, 1801.—The said note was, by the legislative body, referred to citizen Vander Meulen, Van Hoof, Van Rhemen, Siderius, De Crane, Repelaer Van Spykenisse, De Joncheere, De Sitter, and De Lange Van Wyngaerden, to take it into consideration, and to report their opinion to the assembly.

The plan is divided into eighty-seven articles. Articles 1 to 9, inclusive, contain general regulations: by articles 10 to 14, the territorial division of the republic is fixed, which is to be comprised, as hitherto, in eight departments, subdivided into districts. The exercise of the right to vote is to remain provisionally upon the present footing. No clergyman, of any persuasion, can be elected to any political office, and military persons are not to vote, but at the place of their fixed habitation, separate from that where they are in garrison.—Articles 15 to 37, treat of the legislative body, which is to be styled *Their High Mightinesses, representing the Batavian Commonwealth*: the assembly is to be addressed *High and Mighty Lords*. This assembly, with the pensionary, represent the supreme power of the Batavian people, and the fixing of laws belongs to them. The assembly is to consist

of nineteen members, elected for three years, and nominated by the administrations of the departments; viz. seven for Holland, one for Zealand, one for Utrecht, and two members for each of the other departments. With respect to their qualifications, they must be citizens who have a right to vote, be upwards of 30 years of age, born within one of the eight departments, or the colonies of the state, and have resided, for six years preceding their election, in the department for which they shall sit, unless absent in the service of the republic; and they must not be related to each other up to the fourth degree of consanguinity. For each election the departmental administration is to send four names to the pensionary, who will reduce that number to two, of whom the administration will elect one. The pensionary is to open the sitting of their high mightinesses, who next proceed to elect one of their members as president. They are to send two names, not of members, to the pensionary, who will elect one, a greffier, or secretary to the assembly. All resolutions are to be signed by the president, and countersigned by the secretary. The members will vote without instructions from the departments, to whom they are not accountable for their conduct in the assembly of their high mightinesses.—Members of a departmental administration, secretaries of state, members of the council of the city, of finances, and of courts of justice, cannot sit in the assembly, while they retain their posts. The assembly consults on no other subjects than those which are proposed by the pensionary of state: it may approve or reject the laws proposed, but cannot make any alteration in them; if approved, the pensionary is immediately informed of it, who is charged with the promulgation and execution thereof: if rejected, the assembly will acquaint the pensionary with the reasons, who may propose the same plan a second time, either altered, or with the addition of new reasons.—The assembly is exclusively charged with deliberating on the taxes proposed by the pensionary. It may, on his proposition, grant pardon or remission of punishment, sentenced by the courts of justice. When it does not sit, the pensionary can grant a reprieve, but must acquaint the assembly thereof, at the first ensuing meeting. It belongs exclusively to the assembly to confirm treaties of peace, alliance, or commerce, with the exception of the secret articles of a treaty, which must, however, not be contrary to the public articles, nor contain a cession of any Batavian territory. War cannot be declared,

but by a previous resolution of their high mightinesses, on the report of the pensionary.—The regular sitting is to be twice a year, from the 15th of April, to the 1st of June; and from the 1st of December, to the 15th of January. The members may be summoned by the pensionary, and at his pleasure, for an extraordinary sitting. One-third of the number of members are to go out on the 1st of December annually, to commence on the 1st of December, 1806. Their salary is 3000 florins a year. The members going out are eligible to be re-chosen.—Articles 38 to 61, relate to the pensionary, who is to exercise the executive power, in the name of their high mightinesses, representing the Batavian commonwealth. He is to be elected by a majority of votes of the 19 members of the assembly, for five years, and is always competent to be re-elected. But the first pensionary shall keep his place from the introduction of this constitution, to the expiration of five years after a peace with England. He may resign his post at any time, into the hands of their high mightinesses, whose president will, in that case, or in the event of death, occupy his place, and take care that a successor be speedily appointed; for which purpose he must summon the assembly immediately.——The pensionary of the council must be a citizen who has a vote, past the age of thirty-five, born in the Batavian commonwealth, where he must have resided the six preceding years, not related to his immediate predecessor in the third degree of consanguinity or collateral relation (by marriage). If abroad in the service of the republic, it is no impediment.—The pensionary does not, in any case, exercise any legislative authority; he has no concern with any cause which is pending in a court of justice, established by law, nor with the application of the pecuniary ways and means of the state, otherwise than pursuant to the law. He appoints a council of state, of not less than five, nor more than nine members, whose qualifications must be like those of their high mightinesses. He lays no proposal for a law before the assembly, without having previously consulted the council of state. In the assembly of their high mightinesses, he may either propose the laws in person, or through the members of the council, in his name. He appoints a secretary-general of state, who is to countersign all public acts of the state. He also nominates five secretaries of state, one for foreign affairs, one for the navy, one for the war department, one for the interior, and one for the finances, with a council of finance, consisting of three

members as counsellors. He appoints all foreign ministers, all officers of the army and navy, all national officers of state, and all members of the tribunals, except the members of the national court of justice, concerning whom there are regulations stipulated by article 79. He directs the fleets and camps of the Batavian commonwealth; settles the military ranks, provides for the security of the state, for the undisturbed administration of justice, for the execution of the laws, and is charged with the highest political authority of the whole state, as well in civil as ecclesiastical affairs, and he appoints the magistrates for the place where the government resides.—All acts of the government are made out in the name of their high mightinesses, representing the Batavian commonwealth, and signed by the pensionary, and countersigned by the secretary-general of state.—The pensionary has the chief administration of the national pecuniary resources. He fixes the salaries of the officers of state. He also grants pensions, pursuant to the stipulations made by law.——He delivers annually to the assembly, a general account of the exigencies of the state, which their high mightinesses approve or reject, but they must make no alteration in it. In that account there is a head for objects not susceptible of specification, managed by the pensionary for the service of the state, and for defraying the expence of supporting the honour and dignity of his post, and the expenditure of his own offices, and of the persons there employed. In justification of the demand of that sum, there shall only be required a declaration, signed with his own hand, that it has been used exclusively for the concerns and service of the state, and in no wise for enriching him or his relations. The financial means remain at first, as already established in each department, but the pensionary's first care will be, to consider every thing tending to increase the revenue of the state, to simplify the different branches of the administration, and to introduce the strictest economy every where; also to propose laws either for amending the established system of taxation, or for introducing a new system, to replace the present one of departmental taxation.—The remaining twenty-eight articles of the plan, propose the establishment of a national office of accounts, to consist of not less than five, nor more than nine members; that the administrations of the departments shall provisionally retain their present organization, but subject to a revision; that the high military tribunal shall be established, and a national court of justice of nine members.

The appointments and functions of all those colleges are stipulated by separate articles; and the whole is concluded by the form of the oath, to be taken by the legislative body and the pensionary.

HAUGE, MARCH 22, 1805.

The Legislative Body, in its sitting of this day confirmed the proposal of the Directory, relative to the plan of a new constitution, the committee having made a favourable report thereof on the 20th.

HAUGE, MARCH 25, 1805.

This day the State Directory issued the following order, to be sent to the different districts accompanied with a copy of the Plan of the New Constitution.—I. That, as speedily as possible, after the receipt hereof, the administrations of the communes shall lay copies of this publication at a sufficient number of public places, within their communes for inspection.—II. That on Tuesday, the 9th of April next, public registers shall be opened in each commune of the Batavian Republic, and an opportunity be given to all citizens of the Netherlands, of the age of 20, and by Article XXV. of the present Constitution, not excluded from voting, to give their votes on the proposed plan of the Constitution, the nomination of Rutger Jan Schimmelpennink to the post of first Pensionary, and his qualification for introducing that Constitution.—III. That the registers of votes be closed on the 16th of April next, and then the result be transmitted to the State Directory as speedily as possible, and before the 25th of the same month, by the administrations of the communes, together with a list of the probable numbers of citizens in their communes, who have a right to vote; in order to publish the result immediately to the Batavian people, when all those who have a right to vote, but have not given in their votes, will be considered as having approved of the plan of the Constitution.

HAUGE, APRIL 1, 1805.

The State Directory of the Batavian Republic makes known:—Whereas the State Directory has learned that different notions are existing, and that some scruples are entertained, relative to the true sense of the 2d, and of the latter part of the 3d articles of the publication of the 25th inst. respecting the proposed Plan of the Constitution, the appointment of Rutger Jan Schimmelpennink, as First Pensionary of the Council, and the qualification of the same for introducing the Constitution; as

if it could be inferred from the second point of the 3d article, that the inhabitants must give their votes separately on the three points aforesaid; whilst others seem to infer from the latter part of the third point of the 3d article, that those voters, who have not given in their votes shall be considered to have accepted only the Plan of the Constitution, and not the nomination of R. J. Schimmelpennink, nor the qualification to be conferred upon him:—And in taking into consideration, how contrary such an explanation would be, not only to the purport of the said publication, but also to the sense and the context of the proposal of the Directory, and the subsequent approbation of the Legislative Body; and that it is essential to employ, in an affair of so great importance, every means which may serve to prevent any possible misunderstanding.—The Directory, therefore, has resolved to declare, that the sense and meaning of the aforesaid proposal, consequently also of the publication emanated therefrom, requires, that the three subjects, occurring in the 2d section of the 3d article of the publication of the 25th of March last, viz. — 1. The Plan of the Constitution: — 2. The nomination of Rutger Jan Scimmelpennink, as First Pensionary of the Council: — 3. The qualification to be conferred upon him, for introducing that Constitution:—Must not be separated from one another; but that the inhabitants must give in their vote on these three subjects together, *simul* and *semel*, by yes or no; and that by consequence thereof, as likewise from the tenor of the 2d article of the said publication, the latter part of the third section of the third article of the aforesaid publication, must be understood so, that all those lawful voters who shall not have delivered their votes, will be considered to have accepted, not only the Plan of the Constitution, but also the nomination of Rutger Jan Schimmelpennink, as First Pensionary, and the qualification to be conferred upon him for introducing the Constitution, as a consequence of the proposal.—The State Directory orders, that the present publication shall be publicly read, and affixed wherever it is requisite.—(Signed) J. B. BICKER.

HAUGE, APRIL 4, 1805.

The following remonstrance, under this date was addressed to the State Directory by the Citizens and Inhabitants of Utrecht.

FELLOW CITIZENS,—A new plan of a constitution being again proposed to the Batavian people, in order to its being subjected, without delay, to their assent or re-

jection, and as we have it not in our power to make known the reasons for our dissent at the time of voting; we take the liberty to inform you, that after minute investigation and mature consideration of the said plan, the same appeared to us, far from amending the present constitution, to be, on the contrary, liable to produce much greater evil, which, sooner or later, must necessarily proceed therefrom to the nation; and we therefore feel no difficulty in stating, that the said plan, according to our view of it, is at variance with the interest of the people of Batavia, and republican liberty, for which our ancestors have sacrificed so much blood and treasure. It appears from the contents of this plan, that—I. That the possessions and property of the inhabitants are left at the mercy of the most arbitrary dispositions of the political power, the experience whereof has proved of great injury to so many eminent inhabitants from the year 1795, down to the present time, without obtaining any redress, notwithstanding their just complaints have been presented against these abuses; which is the cause of so much dissatisfaction at this time.—II. That, by the said plan, justice, and the course of the law, that palladium and sacred support of liberty, which was still left free by the present constitution, and which ought always to remain free unto all the inhabitants in all cases, is impeded, and can be suborned in the most arbitrary manner, which cannot be limited by any constitution, since it is the incontrovertible right of every member of society.—III. That the Supreme Power is placed above every law, and a most unlimited, nay despotic authority is committed to one person, as it were, under the old title of Pensionary of the Council, a power, much greater and more extensive than ever belonged to the ancient Counts of Holland, and to the late Stadholders, nay, which even exceeds that of a Constitutional King, there being abandoned to him without the least limitation:—1. The whole supreme administration of the national pecuniary means, to dispose of them according to his pleasure.—2. The free disposal of the whole military force of the country, as well by sea as land.—3. The arbitrary nomination of all high functionaries, and the free appointment of the administration of the place, where the government resides, to the prejudice of the right of its inhabitants to the free election of their own magistrates. 4. The exclusive right of alone making propositions in the assembly of their High Mightinesses, and the limitation of the power of that assembly, which cannot deliberate on any other subjects but such as are

proposed to it by him; thus, when he is silent, all are silent, and a deadly lethargy ensues. 5. That he is made accountable to no man, but only to the Supreme Being, who is contemplated with far too much looseness and liberty; for there being no ruling or distinguished religion established, surely a wide door is opened for every body's conscience, upon which the people of Batavia must entirely depend, and embark all their concerns.—A power, therefore, of which one of the members of the legislative assembly has justly observed, that if the person who possesses it be a Cato, managing the republic wisely and honestly, the commonwealth may possibly be happy for the time being; but on the contrary, if he be a Cæsar, it must stoop under his control. And is it now eligible and prudent for the inhabitants of this country, to adopt a plan of a constitution of that nature upon an uncertainty, and for the nation to be hazarded upon the chance whether a Cato or a Cæsar shall be at any time placed at its head? With great reason did the aforesaid member exhort the inhabitants of this country to watch diligently over this point, that they might not deliver themselves up indiscriminately to despotism and violence, and thus suffer themselves to be fettered with bonds of slavery. These are the reasons, citizens, why we, as well for us as for our posterity, are neither willing nor able to resolve upon the acceptance of a constitution, by which, under the specious forms of old names or titles, the most arbitrary government may be introduced. Far be it, nevertheless, that by this our rejection of the proposed plan, we should be understood to approve of the existing constitution in the whole, and that we should not be considered as disposed to agree with you in any wise improvement of a more concentrated administration: no, the contrary is the fact: for if we are to speak out what we think, and what our hearts dictate, we have experienced none but unfortunate years since the revolution of 1795; and the sounding words of Equality, Liberty, and Fraternity, of Batavian Liberty, of Unity and Indivisibility of a pretended patriotism, and of a far-famed and loud cry of Love of our Country, have produced none but the bitterest fruit to the principal part of the nation, to those who have not enriched themselves by the treasures levied at so dear a rate. We long, therefore, for a change, but at the same time for an improvement; and nothing will be more agreeable to us, (this we speak confidently in the name of the whole nation) than, after being so long tossed to and fro, to see for once a good plan of a constitution offered, resting

solely upon the basis of rights, of equity, and of sound politics, by which liberty and divine worship should be maintained, every individual protected in the possession of his lawful property, justice exercised without impediment; so that even the meanest inhabitant may obtain his due right, and by which the Supreme Power shall not be placed above the law, and a sovereign and unlimited authority not entrusted to any single individual, whosoever he be, and by whatever appellation he may be distinguished. And how greatly is it to be lamented, citizens, that in the present instance, an inconsiderate enthusiasm should have deviated so far from the union, and placed every thing upon a vague foundation; from the union, by which our republic, under the blessing of God, had risen to the highest summit of felicity; from the union, by which every man's real liberty was provided for, and divine worship duly maintained, without tyranny or compulsion of conscience, and all predominance of one province over the others was duly prevented, and by which, as you yourselves have not obscurely hinted in your note to the legislative body, the country has experienced such happiness during two centuries. And if this be true, as it is undoubtedly, can the nation desire any other plan of a constitution, than such a one as being purged from all former defects, as much as is consistent with the present circumstances, shall be principally founded upon the union? If, however, the critical circumstances in which we are involved by a ruinous war, require for that period a concentrated administration, to give more energy to the decrees which are to be passed for the welfare of our country; well then, in that case, let us follow the steps of the ancient Romans, and appoint until the peace, or for a limited time, five years at the longest, a Dictator, after the Roman manner; let us name even the intended person (Schimmelpenninck) to this pre-eminence, and let all necessary power and authority be entrusted provisionally to him, without impairing the people's liberty and justice; but let us by no means deprive the nation thereof for ever, under a constitution, the consequence of which may be the most arbitrary oppression, under which we must suffer and endure violence, or be reduced to the disagreeable necessity (like so many other respectable families, which have already removed their residence to other countries) of quitting this our native soil, once so free; but to the introducing of this constitution, and of necessity, we can never give our assent; after so many sacrifices as we have made to liberty; we must, therefore, in

giving our suffrage, reject the proposed plan with the most decided negative.

HAGUE, 29th APRIL, 1805.

This morning, about half past seven, his Excellency M. SCHIMMELPENNINCK, with his consort and children, arrived here, and immediately took up his residence in the palace called the Old Court. At half past nine his Excellency gave audience to various persons, and received their congratulations on his accession to the high dignity of pensionary. At half past one his Excellency was conducted into the presence of the directory of state, before whom he took the oath prescribed by the constitution; after which the directory of state laid down their posts. This was notified to the public as follows:

" The pensionary of the Batavian republic, RUTGER JAN SCHIMMELPENNINCK, hereby notifies, in that quality, that he has this day provisionally taken the oath prescribed by the constitution to the president of the directory of state; and that, in pursuance thereof, after the dissolution of the directory of state, the government of the Batavian republic is constituted. Moreover, that M. C. G. HULTMAN has, by said pensionary, been nominated and appointed general secretary of state. Done in the Hague, April 29, 1805. (Signed) SCHIMMELPENNINCK."

HAGUE, 30th APRIL, 1805.

To-day, in the legislative assembly, a letter was read from the directory of state, dated the 29th instant, communicating that his Excellency the pensionary had, at the appointed time, appeared before them and taken the prescribed oath, and that they had afterwards resigned their posts; inviting the legislative body to follow their example, by dissolving their assembly, and to intimate it to the pensionary by letter. The president of the legislative body having made a speech suitable to the solemn occasion, declared, in the name of the people, the dissolution of the legislative body of the Batavian commonwealth; and that intimation thereof should be given to the pensionary. Nearly all the constituted high colleges here have paid their compliments to the pensionary.

HAGUE, 10th MAY, 1805.

By a decree of the pensionary of this Republic, of this day, the following appointments have been made: secretary of foreign affairs, M. Van Der Goes. Secretary of war, M. G. J. Pyman. Secretary of home affairs, M. H. Van Straalen. M. H. Van Royen is provisionally charged with the navy department. M. P. Dessevael, re-

order of the bureau of state. All these persons will this day take the oaths, and enter on their respective offices.

TO HIS EXCELLENCY M. R. J. SCHIMMEL-PENNINCK, AMBASSADOR FROM THIS COUNTRY TO HIS MAJESTY THE EMPEROR OF THE FRENCH.

As the people of Batavia had sanguinely uttered themselves that they should receive, under your concurrence, a wise plan of a constitution, they were as sensibly affected in seeing the State-Directory offer a plan to the nation, for its assent or rejection, by which the liberty of the inhabitants of this country is, in our opinion, undermined in all its parts.—Now, since no faculty is given or permitted at the time of voting, to state the reasons of our rejection, we have thought proper to inform the State-Directory of those reasons by a note, at the same time taking the liberty to transmit to your Excellency a copy of that note, to which we refer you, for the sake of brevity.—And although we have declared by that note our willingness to agree with the State Directory, in assisting to establish an improved plan of a constitution, founded upon justice, equity, sound politics, and as nearly as possible upon the Union; and in order to bestow, during the present critical circumstances, more energy on the decrees for the welfare of our country, by a more concentrated administration, to entrust the necessary power and authority for a limited time to a person, in whose abilities, probity, and love of his country, the people of Batavia might safely confide, and have made no difficulty to propose to the Directory for that purpose in the said note, the nomination of your Excellency, who at the present moment certainly appears to us the properest person to save our country from decay and ruin; we yet think, on being called upon in a solemn manner, that we ought not to give our assent to the establishment of a constitution, which may have for its consequence sooner or later, for us, or for our posterity, the most arbitrary despotism.—Although we are well convinced, considering the manner of voting, by which all those who do not appear are understood to have assented, that our hopes and expectations will not be fulfilled; yet we, for ourselves, could not resolve to adopt a plan, by which the people of Batavia may some time be reduced to a low dependence; desiring, sincerely, that your Excellency will be pleased to take in good part this our act, done for the good of our country, and that you will also take into mature consideration the reasons more amply

stated in the aforesaid note to the State-Directory, as being of the greatest interest to every inhabitant.—We remain,—YOUR FELLOW-CITIZENS.

DOMESTIC OFFICIAL PAPERS.

VOLUNTEER CORPS.—*Circular Letter from Lord Hawkesbury, Sec. of State, to the Lords Lieutenant of Counties. Dated, April 1, 1805.*

MY LORD,—The obvious and important improvement which the state and discipline of the volunteers have already experienced from the measure of placing them, for a limited time, on permanent pay and duty, has determined His Majesty to give effect to the disposition which has already been manifested by many corps of volunteers, to renew their offers of going out on permanent duty, under regulations similar to those which were established and acted upon the last year.—With regard to these regulations, I am desirous of directing your attention particularly to the previous steps to be taken before the proposal of any corps to assemble on permanent pay and duty is transmitted to me, in order that the concurrence of the general of the district to the proposal may be signified to me, at the same time, with an exact return of the effective numbers and rank of the volunteers who are to be assembled, and accompanied by a statement of the time and place of their assembling, and of the period for which it is intended they should remain on duty.—For the purpose of giving every due encouragement to this description of service, it is the intention of His Majesty's government to propose to parliament to authorise them to advance to the non-commissioned officers, trumpeters, drummers, and privates, a sum not exceeding one guinea for twenty-one days, and in that proportion for any shorter period; to be drawn for by the captains of companies, upon the receiver general of the county to which the corps may belong.

WAR IN WEST-INDIES.—Downing Street, May 6, 1805. A dispatch, of which the following is a copy, has been this day received by Earl Camden, K. G. one of His Majesty's Principal Secretaries of State, from Lieutenant-General Sir William Myers, Bart. commanding His Majesty's troops in the Windward and Leeward Islands:

Barbadoes, March 9, 1805.

My Lord,—I have the honour to inclose to your lordship, copy of a dispatch from Brigadier-General Prevost, dated Dominica, 1st March; the details contained therein are so highly reputable to the brigadier-general,

and the small portion of troops employed against so numerous an enemy, that I have great satisfaction in recommending their gallant exertions may be laid before His Majesty; the zeal and talent manifested by the brigadier-general upon this occasion, it is my duty to present for his royal consideration; and at the same time I beg to be permitted to express the high sense I entertain of the distinguished bravery of His Majesty's troops and the militia of the colony employed upon that service. The vigorous resistance which the enemy have experienced, and the loss which they have sustained in this attack, must evince to them, that however inferior our numbers were on this occasion, British troops are not to be hostilely approached with impunity, and had not the town of Roseau been accidentally destroyed by fire, we should have little to regret and much to exult in.—Your lordship will perceive by the returns, that our loss in men, compared to that of the enemy, is but trifling; but I have sincerely to lament that of Major Nunn, of the 1st West-India Regiment, whose wound is reported to be of a dangerous kind; he is an excellent man, and a meritorious officer.—(Signed) W. MYERS.

Dominica, March 1, 1805.

SIR,—About an hour before the dawn of day on the 22d ult. an alarm was fired at Scotshead, and soon after a cluster of ships was discovered off Roseau. As our light increased, I made out five large ships, three frigates, two brigs, and small craft, under British colours, a ship of three decks carrying a flag at the mizen. The frigates ranging too close to Fort Young, I ordered them to be fired on, and soon after nineteen large barges full of troops, appeared coming from under the lee of the other ships, attended and protected by an armed schooner full of men, and seven other boats carrying carronades. The English flag was lowered, and that of France hoisted.—A landing was immediately attempted on my left hand, between the town of Roseau and the post of Cache-crow. The light infantry of the 1st West India regiment were the first on the march to support Captain Senant's company of militia, which, throughout the day, behaved with great gallantry. It was immediately supported by the grenadiers of the 46th regiment. The first boats were beat off, but the schooner and one of the brigs coming close in shore to cover the landing, compelled our troops to occupy a better position; a defile leading to the town. At this moment I brought up the grenadiers of the St. George's regiment of militia, and soon after the re-

mainder of the 46th, and gave over to Major Nunn these brave troops, with orders not to yield to the enemy one inch of ground: field-pieces (an amuzette and a six-pounder) were brought into action for their support under the command of Serjeant Creed of the 46th regiment, manned by additional gunners and sailors.—These guns, and a twenty-four pounder from Melville battery, shook the French advancing column by execution they did.—I sent two companies of the St. George's militia, under the command of Lieutenant-Colonel Constable, a company of the 46th to prevent the enemy from getting into the rear of the position occupied by Major Nunn.—On my return I found the Majestueux, of one hundred twenty guns, laying opposite to Fort Young, pouring into the town and batteries her broadsides, followed by the other seventy-four and frigates doing the same.—Some artillery, several captains of merchantmen, with their sailors, and the artillery militia, manned five twenty-four-pounders, and three eighteens, at the fort, and five twenty-four at Melville's battery; and returned an uninterrupted fire. From the first post no hot shot were thrown. At about ten o'clock A. M. Major Nunn, most unfortunately in His Majesty's service, whilst faithfully executing the order I had given, was wounded I fear, mortally.—This did not discourage the brave fellows—Captain O'Connell, of the 1st West-India regiment, received the command, and a wound, almost at the same time; however, the last circumstance could not induce him to give up the honour of the first, and he continued in the field animating his men, and resisting the repeated charge of the enemy until about one o'clock, when he obliged the French to retire from the advanced position with great slaughter. It is impossible for me to do justice to the merit of that officer. You will, I doubt not, favourably report his conduct to His Majesty, and, at the same time, that of Captain James, who commanded the 46th, and Captain Archibald Campbell, who commanded the grenadiers of the 46th. Foiled and beaten off on the left, the right flank was attempted and a considerable force was landed near Morne Daniel. The regulars, not exceeding two hundred, employed on the left in opposing the advance of their columns, consisting of upwards of two thousand men, could afford me no reinforcement, I had only the right wing of the St. George's regiment of militia to oppose to them, of about one hundred men. They attacked with spirit, but unfortunately the frigates had stood in so close to the shore to protect the disembarka-

tion, that after receiving a destructive fire, they fell back, and occupied the heights of Woodbridge Estate. Then it was, that a column of the enemy marched up to Morne Daniel, and stormed the redoubt, defended by a small detachment, which, after an obstinate resistance, they carried. On my left, Captain O'Connell was gaining ground, notwithstanding a fresh supply of troops and several field pieces which had been brought on shore by the enemy. I now observed a large column climbing the mountains to get in his rear.—The town, which had been for some time in flames, was only protected by a light howitzer and a six-pounder to the right, supported by part of the light company of the St. George's regiment. The enemy's large ships in Woodbridge Bay, out of the reach of my guns; my right flank gained, my retreat to Prince Rupert's almost cut off, I determined on one attempt to keep the sovereignty of the island, with the excellent troops I had warranted. I ordered the militia to remain at their post, except such as were inclined to encounter more hardships and severe service; and Captain O'Connell, with the 46th, under the command of Captain James, and the light company of the 1st West-India regiment, were directed to make a forced march to Prince Rupert's. I then allowed the President to enter into terms for the town of Roseau; and then demanded from the French general that private property should be respected, and that no wanton or disgraceful pillage should be allowed. This done, only attended by Brigade-Major Prevost, and Deputy Quarter-Master-General Hopley, of the militia forces, I crossed the island, and, in twenty-four hours, with the aid of the inhabitants, and the exertions of the Caribs, got to this garrison, on the 23d.—After four days continued march, through the most difficult country, I might almost say existing, Capt. O'Connell joined me at Prince Rupert's, wounded himself, and bringing in his wounded, with a few of the Royal Artillery, and the precious remainder of the 46th regiment, and the 1st West-India light company.—I had no sooner got to the fort than I ordered cattle to be drove in, and took measures for getting a store of water from the river in the Bay. I found my signals to Lieutenant-Colonel Broughton, from Roseau, made soon after the enemy had landed, had been received, and that, in consequence, he had made the most judicious arrangements his garrison would allow of for the defence of this important post.—On the 25th I received the letter of summons I have now the honour to transmit, from General of Di-

vision La Grange, and, without delay, sent the reply you will find accompanying it.—On the 27th the enemy's cruisers hovered about the head; however, the Centaur's tender (Vigilante), came in, and was saved by our guns. I landed Mr. Henderson, her commander, and his crew, to assist in the defence we were prepared to make.—As far as can be collected, the enemy had about four thousand men on board, and the whole of their force was compelled to disembark before they gained an inch of ground.—I intrust this dispatch to Captain O'Connell, to whom I beg to refer you: his services entitle him to consideration. I am much indebted to the zeal and discernment of Fort Adjutant Guary, who was very accessary to the due execution of my orders.—I cannot pass unnoticed the very soldier-like conduct of Lieutenant Wallis, of the 46th regiment, to whom I had entrusted the post of Cachecrow, or Scotshead; perceiving our retreat, he spiked his guns, destroyed his ammunition, and immediately commenced his march to join me at Prince Rupert's, with his detachment; nor that of Lieutenant Shaw, of the same regiment, who acted as an officer of artillery, and behaved with uncommon coolness and judgment, whilst on the battery, and great presence of mind in securing the retreat of the additional gunners belonging to the 46th regiment.—On the 27th, after levying a contribution on Roseau, the enemy reembarked, and hovered that day and the next about this post. This morning, the French fleet is seen off the south end of Guadalupe, under easy sail.—Our loss, you will perceive by the returns I have the honour to transmit, was inconsiderable, when compared with that acknowledged by the enemy, which included several officers of rank, and about three hundred others.—I have the honour to be, &c.—GEORGE PREVOST.

*From the Gen. of Division La Grange, &c.
to his Ex. Gen. Prevost, &c.—Roseau,
Feb. 25, 1805.*

The General of Division La Grange, Grand Officer of the Legion of Honour, Inspector General of the Gendarmerie, Commander in Chief of the Troops of the Expedition to the Leeward Islands.—General, Before I commence any military operations against the fort, into which it appears that you have retired, I shall fulfil a preliminary duty, authorised and practised by civilized nations.—You are aware, no less than myself, of the nature of your position, and of the entire inutility of occasioning any further effusion of blood. You witnessed with grief the

melancholy fate of the town of Roseau; my first endeavours on entering it were to issue orders for stopping the progress of the conflagration; but, unfortunately, considerable destruction had already taken place.—The want of necessaries is ever attended with the most cruel consequences, the evils of which can easily be calculated. This consideration alone is more than sufficient, without reference to the particular circumstances in which you are placed, to induce you to accept the honourable conditions that I am ready to grant you, and thus to preserve the interesting inhabitants of this colony from fresh calamities, which are inseparable from the occurrences of war.—I beg you, General, to make me an early communication of your answer; and, in the mean time, to receive the assurance of the high consideration which I entertain for you. (Signed) LA GRANGE.

Prince Rupert's, Feb. 25.

Sir,—I have had the honour to receive your letter. My duty to my King and country is so superior to every other consideration, that I have only to thank you for the observations you have been pleased to make on the often inevitable consequences of war. Give me leave, individually, to express the greatest gratitude for your humanity and kind treatment of my wife and children; and, at the same time, to request a continuance thereof, not only to her and them, but towards every other object you may meet with.—I have the honour to be, &c.

(Signed) GEO. PREVOST.

Return of the Killed and Wounded in the Actions of the 22d of Feb. 1805, at Point Michael, Morne Daniel, and Roseau, in the Island of Dominica.

Royal artillery.—3 rank and file wounded; 1 captain, 1 serjeant, and 6 rank and file, taken by the enemy.—46th regiment.—1 serjeant, 1 drummer, and 10 rank and file, killed; 1 captain and 7 rank and file, wounded.—1st West-India regiment.—9 rank and file, killed; 1 field-officer, 1 captain, and 8 rank and file, wounded.—Total.—1 serjeant, 1 drummer, and 19 rank and file, killed; 1 field-officer, 2 captains, and 18 rank and file, wounded; 1 captain, 1 serjeant, and 6 rank and file, taken by the enemy.—Officers wounded.—Captain Colin Campbell, of the 46th regiment.—Major Nunn and Captain O'Connell, of the 1st West-India regiment.—N. B. Three sailors wounded, exclusive of the militia, from which no return has been received, but whose loss was con-

siderable.—(Signed) JAMES PREVOST, Major of Brigade.

Saint Kitt's, March 8, 1805.

Sir,—I did myself the honour of writing to you on the 27th inst. by the mail-boat, to say that intelligence had been received here, on that morning, of the arrival of a French force at Dominica, and the steps I had taken to make such circumstances known to government.—I lost no time in placing this garrison in the best state to repel any attack that might be made by the enemy, and increasing the provisions to a quantity sufficient to maintain a garrison of five hundred men for three months, which was, by the exertion of the Resident Commissary, effected on the 1st inst.—I have now to inform you, that on the morning of the 5th inst. a French squadron, consisting of five line of battle ships (one a three-decker), three frigates, two brigs of war, and a schooner, with (according to accounts since received) three thousand five hundred men on board, appeared off Nevis Point, and stood in for Basse Terre, where the frigates only anchored.—I did not think it consistent with the safety of this garrison, to divide the small force of regular troops under my command, and the militia being found inadequate to give effectual opposition, it was previously agreed with President Woodley, that three hundred of them should be thrown into this garrison in the event of the enemy's effecting a landing; in consequence of which, the enemy having landed about five hundred men at Basse Terre, he marched in here (with great promptness) on the same day with the above five hundred men, including seamen and militia. The enemy took possession of the town, demanding the immediate payment of forty thousand pounds sterling, in failure of which it should be burned. The inhabitants with great difficulty raised eighteen, with which sum they embarked, intimating an intention of attacking this hill, and, from the state of preparation we were in, as well as the zeal shewn by the troops in this garrison, I have every reason to believe that the result would have been such as you would wish. It does not appear, however, that this squadron wish to attack where opposition may be expected, but to plunder the inhabitants and burn and destroy the shipping. Six merchant ships, some of them very valuable, have been towed from the anchorage in Basse Terre, set on fire, and allowed to drift to sea.—I have the honour to be, &c. (Signed) JAMES FOSTER, Major, 11th regiment.